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1987-88 CIVIL GRAND JURY REPORTS

CITY AND COUNTY
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CITY AND COUNTY OF SAN FRANCISCO
GRAND JURY

OFFICE
OOM 165, CITY HALL
ELEPHONE: 558-5010

June 30, 1988

Honorable Claude D. Perasso
Presiding Judge, Superior Court
City Hall, Room 465
San Francisco CA, 94102

Dear Judge Perasso:

It has been an honor and a privilege to act as Foreman of the 1987-88 Civil Grand Jury and I take pleasure in forwarding to you the results of our efforts. We hope this report contributes to the good of the City.

I express my gratitude to Michael Tamony, without whose sage counsel I would have been lost; to Gary Giubbini, Gloria Clemins and staff for their cheerful assistance and courtesy to all Grand Jury members; above all to the members themselves, many of whom gave selflessly of their time and skills in order to render a service to the citizens of San Francisco. Special appreciation is due jurors who assumed the additional responsibilities of chairing committees. My thanks are also expressed to the many guest speakers who came before us, educating us in the workings and conditions of our city government.

The Grand Jury concentrated on in-depth examinations of a few city departments rather than a more cursory look at several. The report reflects their efforts.

There are some personal observations that I would like to pass on to you. The system of carrying over four jurors from the past Grand Jury works very well. It was instrumental in getting the Jury into action promptly. We also found the Civil Grand Jury Manual invaluable, as were the seminars given under the aegis of Dr. Bruce Olsen.

From my vantage point of serving as Foreman for the past year, I feel the present selection system of Grand Jury members sorely needs revision. Some jurors were forced to serve who were unable to cope with the demands of the job. Others, though capable, were forced to serve against their will. This results in an unequal distribution of work for the jurors. There are many potentially qualified jurors who wish to serve. A dynamic selection method ensuring diligent jurors would be a service to the City.

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In current practice the maximum number of committee meetings for which Civil Grand Jurors can be paid per month is four. Since every juror serves on more than one committee, it is not unusual to have several committee meetings a week. Toward the end of the term more meetings are scheduled as material is compiled and reports are written. This limitation of pay is unfair to all jurors, particularly to those who must take time off from work, even though the pay per meeting is scarcely substantial. The jurors know that there is a $30,000 reserve for Civil Grand Jury expenses which lies unused. The City should pay jurors for all Civil Grand Jury meetings, regular or committee.

The use of a conference room in which the Civil Grand Jury can conduct its business is not an unreasonable request and is commensurate with the dignity of its proceedings. A courtroom is not designed for these functions and is awkward and uncomfortable.

You will observe in the various reports that the Grand Jury found a serious lack of computer capability, including word processing, for the city departments. This is a pervading situation. Installing the required programs and computers is initially costly but could in the long run significantly improve productivity and save money.

Civil Grand Juries cannot be the ultimate experts in all fields but they can and do render input from nineteen individuals who are charged with being objective. Realizing that juries have no power of enforcing their recommendations, it was welcome to note that the Oversight Committee of the Board of Supervisors now follows through on Grand Jury recommendations. As well, each Civil Grand Jury should have a Review Committee to ascertain City departmental action on the recommendations of the prior Jury.

Our City Hall is one of the most magnificent edifices in San Francisco and is recognized architecturally as one of the finest city halls in the United States. It is thus particularly sad to observe inadequate maintenance, overcrowded and overflowing spaces, crude signage, etc., in the building which should be the showplace of San Francisco.

I am certain I express the sentiments of the Grand Jury as a whole that it has been an honor to serve the City for this past year.

Respectfully submitted,

JULES M. HEUMANN,
FOREMAN

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1987-88

CIVIL GRAND JURY

REPORTS

City and County of

San Francisco

California

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CIVIL SERVICE

BACKGROUND

As a result of growing public concern about political influence in government jobs, Federal Civil Service came into existence in 1883. San Francisco followed in 1898 by designating in its Charter that some city jobs were to be filled by open competitive exams. Those positions were protected from dismissal for political consideration. The Charter of 1932, under which the City still operates, extended those conditions to all but a few city positions. In 1943 the San Francisco Civil Service Program was approved by the State as "an appropriate alternative to the statewide merit system," so it varies from the State plan which was passed later.

The Charter includes 60 pages of detailed provisions on examinations, certification, classification and other procedures to be carried out by the Civil Service Commission and staff. These procedures can only be changed by amendment to the Charter. The 160 pages of the Rules of the Civil Service Commission spell out further details.

Amendments to the Charter may be placed on the ballot by the Board of Supervisors or by the initiative process. They require a simple majority vote to pass. Since 1961, 238 charter amendments have been passed by the voters, one third of which were non-retirement-related civil service changes.

Nurses and police, fire and MUNI workers are separate from the other city employees in salary setting, retirement benefits and working conditions. A major salary standardization procedure was passed in the 70's for craft and miscellaneous workers following a city strike. Periodic amendments have removed more and more top management positions from Civil Service. A proposed revision of the Charter by an elected Charter Revision Committee in 1980 failed at the polls. It received 46% of the vote, supported by public interest groups, such as the League of Women Voters and SPUR, but opposed by the Mayor and the unions.

Although there is presently no movement for such sweeping change in the Charter, Civil Service has been studied in some detail by the League of Women Voters, SPUR, The Mayor's Fiscal Advisory Committee, past Grand Juries and the Civil Service Commission staff itself. Each has come forward with proposals for significant changes. The general consensus of all the studies, as in the Charter Revision proposal, is that the Charter should be

"brief and enabling" with the Civil Service Commission given the authority to decide the ways those provisions should be carried out. However, it is felt by all that the will of the public to accomplish major change does not presently exist.

The Civil Service Committee of the 1987-88 Grand Jury began its investigation of Civil Service on the basis of often heard complaints about the difficulties of working with the system. These centered on the slowness or impossibility of termination, the inability to fill positions vacated by persons on disability or with accumulated sick leave and just general incompetence on the part of city workers. Ours was a shotgun approach, reading the past studies, interviewing Civil Service staff and the President of the Commission, sounding out heads of large and small departments, talking with union leadership, past staff and the head of personnel of a major San Francisco corporation - all with the view of finding out what was "going wrong."

We did see much that needed correction but we also saw much that was good, much that provided opportunity for solid improvement. We decided to follow the way pointed out to us by one enlightened department head who said, "The major question is not how to remove incompetent employees, but how to select and keep good ones."

The emphasis of this report, as a result, is upon:

I. Computerization of Records

II. Recruiting

III. Maintaining Quality Lists

IV. Standardized Examinations

V. Protests of Examinations

VI. Help for Small Departments

VII. Management Training

VIII. Evaluation and On-the-Job-Training

IX. Performance Requirements for Promotions

X. Productivity Incentives

XI. Overtime and Contracting Out

XII. Accumulated Sick Leave

XIII. Wages and Salaries

I. COMPUTERIZATION OF RECORDS

FINDINGS

For 1987-1988 the Annual Salary Ordinance authorized 28,254 positions. An estimated 24,000 are filled. It is impossible to determine the exact number, or the exact positions, at any given time because the City does not have the computer capacity to do that job. Civil Service management feels that it is essential that they be able to provide correct information for the preparation and monitoring of the budget. That information is also necessary in order to use the work force efficiently.

RECOMMENDATION

1. The Civil Service Commission should propose, and the Mayor include in his budget, a program and computer capacity that would provide accurate information on the number of positions that are filled in the City work force.

II. RECRUITING

FINDINGS

Almost all of those permanently employed came into the system in the same way. They heard about the opening by seeing it posted on a bulletin board at City Hall, by receiving a postcard following registration with Civil Service or by hearing word of mouth from friends or relatives. Virtually none were recruited, although at least one department, the Department of Public Works, has asked for money in its budget to be able to recruit qualified engineers on college campuses. This request has been turned down by the Board of Supervisors.

RECOMMENDATION

2. The Civil Service Commission should:

   a. advertise entry-level positions widely through newspapers, community agencies and on college campuses,
   b. make periodic visits to the campuses to acquaint students with the range of jobs available and the opportunities the City provides for careers of increasing responsibility and
   c. recruit for promotional jobs that are not filled by well-qualified inside applicants.

III. MAINTAINING QUALITY LISTS

FINDINGS

Once having taken the exam, those passing have their names put on a list from which departments can choose from the top three names for each opening. The lists for each classification are arranged by point score from the top down to what is deemed by the examination staff as the "minimally acceptable candidate." Should two or more people have the same score their order on the list is determined by a draw of a digit of their social security number. By Charter provision, lists can last no less than two years and no more than four.

When lists get down to "minimally qualified candidates," departments frequently prefer to wait until the list is depleted rather than put in a requisition to fill a position. Several department heads proposed to us shortening the duration of lists. The Civil Service staff has recommended that the Board of Supervisors put on the ballot an amendment that would allow "elevator lists," lists that can be replenished with qualified names from subsequent exams. This procedure would aid in recruiting well-qualified persons since they could enter the pool of applicants before old lists are depleted.

RECOMMENDATION

3. The City should change the Charter to allow the Civil Service Commission to:

- **a. cancel any list with fewer than three eligibles,**
- **b. make continuous additions of eligibles to existing lists,**
- **c. purge lists of names of persons no longer interested or available, and**
- **d. make the duration of any list commensurate with the demand for the job.**

IV. STANDARDIZED EXAMS

The writing of specific exams can be extremely costly. Outside consultants are hired, sometimes by court order, to write "unbiased" exams that generally cannot be used again. Civil Service spent $500,000 on four police and firefighter exams, only one of which can be re-used.

Until entry-level exams are standardized, the ability to insert names into existing lists will be seriously impeded. When succeeding examinations are now given different tests are used, making it difficult to determine if the scores are comparable for inclusion on the same list.

RECOMMENDATION

4. The Civil Service Commission should use standardized tests for entry-level positions.

V. PROTESTS OF EXAMINATIONS

FINDINGS

The opening of examinations is frequently held up because exams are written more and more specifically for each and every opening in a classification. Departments wish to have input into writing exams that test for the qualities that they find desirable. The major reason for each new exam is that under the

current protest procedures anyone who takes an exam is entitled to see the exam and protest their score. Key positions have been vacant for as long as two years while protests were being pursued.

RECOMMENDATION

5. The Civil Service Commission should change the protest procedures to allow filling positions in a timely manner.

VI. HELP FOR SMALL DEPARTMENTS

FINDINGS

The departments and Civil Service staff ideally work closely together. Both agree that Civil Service staff exists to service the departments. One of the key staff stated, "the point of modern government should be to provide efficient delivery." Despite these good intentions, however, the larger departments have formed their own personnel staff to establish criteria for the jobs open in their departments, to work with Civil Service in filling them and to train department personnel in using Civil Service procedures, such as evaluation and termination, as efficiently and effectively as possible.

Many studies in the past have recommended consolidation of these functions in a centralized, powerful City Personnel Department. The Grand Jury found that the present practice works well. However, the small departments need more consistent and sympathetic attention from the Civil Service staff. Good managers are able to work with the system successfully but each needs more help in filling their positions and using their small staffs in a flexible fashion.

RECOMMENDATION

6. The Civil Service Commission should pay particular attention to the needs of small departments, including allowing broader job descriptions and flexibility in use of staff.

VII. MANAGEMENT TRAINING

FINDINGS

The Management Development Unit has made significant progress in training top management. Established in 1975, the Unit devised a system for evaluation. Written forms and procedures for terminations were also introduced. Once-a-month training sessions started for key managers to help them use these procedures to obtain competent, effective employees.

One-sixth of city employees are managers. The Management Development Unit started training top personnel, conducting a program for department heads using donated facilities at Transamerica. The Unit then trained key managers designated by department heads. There is now a waiting list for those who choose to be trained. The program has been recognized by the Chamber of Commerce and the Mayor's office. Originally patterned on management training done in corporations, it now carries out a program that better suits the needs of City management.

The program has been inhibited by lack of training space and insufficient personnel. Presently, only five people carry out the program, with one permanent training room available. An additional permanent training room is crucially needed. Up to thirty instructors could be put to work if all management is to benefit. Budget requests for help have been turned down by the Board of Supervisors. In times of layoffs fewer people will have more responsibility. Therefore, the Grand Jury believes that education in management at all levels will be even more necessary than in the past.

RECOMMENDATION

7. The Civil Service Commission, the Mayor and the Board of Supervisors should support the Management Training Unit by providing adequate funds for instructors and setting aside sufficient permanent training space to carry out a complete program.

VIII. EVALUATION AND ON-THE-JOB-TRAINING

No institutionalized training is given to new miscellaneous employees. Very little was given in the private corporation we studied. But in both cases, some job instruction is achieved through the means of evaluation procedures for probationary and permanent employees. Upon evaluation, employees are informed of shortcomings to be improved. Suggestions are made as to how to accomplish improvement and a reasonable length of time given to do it. If supervisors perform this function well, an excellent opportunity exists to build a constructive relationship with their staffs. Training in the use of the evaluation instruments has helped them render fair and constructive judgment. But the Grand Jury finds that scrutiny from above is still necessary to make certain that evaluations take place at each level of employment.

Correlating the results of evaluations within departments and classifications can provide indicators for staff training that could improve the quality of service. The Grand Jury would like to see on-the-job training for employees given in addition to management training.

RECOMMENDATIONS

8. Managers should be held accountable for the evaluation of those they supervise.

9. On-The-Job-Training should be designed and implemented for use in areas where evaluations reveal insufficient performance on the part of permanent employees.

IX. PERFORMANCE REQUIREMENTS FOR PROMOTIONS

FINDINGS

A general aura of mistrust surrounds City employees and the conditions of their employment. The Grand Jury found that one of the areas where this particularly seems true is in the area of promotions. Supervisors are felt to subvert the merit system

if given the chance for input in an employee's promotion. "Merit," therefore, continues to be defined solely by "open examination." The effective test-taker becomes the person of most merit. The Grand Jury has been shown that supervisors can be trained to be better managers and are capable of evaluating employees on actual job performance rather than on personal or political bias. If they are required to do this, more effective management will take place and more cohesive working groups can exist.

RECOMMENDATION

10. Promotions should be based on a combination of examination, performance evaluation, seniority and recommendation by one's supervisor.

X. PRODUCTIVITY INCENTIVES

FINDINGS

One interviewee waxed philosophical when he said, "If you work hard it's because you want to, because it's important to you, not because the system says you must." His assessment of the city work force was that some work very hard while some are asleep. Aside from personal satisfactions, few rewards for productivity exist in the system. MUNI drivers are paid the same wage but the most senior drivers have the pick of runs. Several recognition programs for good performance also exist at MUNI. Overtime is given as a "perk" in many departments, particularly to the most senior people who can credit it to the pay that is counted as a basis for retirement benefits. However, there is no consistent reward for high performance.

To encourage higher productivity, New York City has instituted "efficiency sharing." Actual dollar costs saved by improvements in efficiency are shared by the employee and the City. Similar in concept will be San Francisco's program to increase the responsibility of departments in monitoring workman's compensation claims. Funds for workmen's compensation will now be budgeted department by department. When efficiencies are achieved the savings will accrue to the department. If overages occur the department must pay for them. The Grand Jury hopes this will lead to similar programs that encourage employees to institute cost-saving efficiencies.

RECOMMENDATION

11. The City should provide opportunity for rewards for productivity such as bonuses, accelerated salary advancement within classifications and/or "efficiency sharing."

XI. OVERTIME AND CONTRACTING OUT

FINDINGS

Two practices that can serve or undermine efficiency are assignment of overtime and contracting-out. Twenty million dollars were spent last year on overtime. Several department heads have pointed out that it would cost a great deal more to hire permanent employees to do the work, should that be possible, because of the added cost of benefits. The Budget Analyst for the Board of Supervisors stated, however, that "1000 employees adding 25% to their base pay in overtime shows something seriously wrong with the controls." The loss to the City is not merely in the overtime paid but in the potential liability to the Retirement System when that overtime is used to figure the base pay on which benefits are calculated. The Analyst cited one case of overtime that could cost the City a million dollars.

The Grand Jury found that a significant number of employees receiving overtime pay were "Z" employees, salaried managers who receive compensatory time but not overtime pay, unless an "emergency" had been declared by an appropriate authority.

Contracting-out was responsible for $130 million in the City's budget last year for 800 individual contracts. The Civil Service Commission must approve requests for these services that "supposedly" cannot be performed by city personnel. The Commission has denied practically no request since 1981. Half of the contracts are awarded to community agencies which are deemed better able to perform certain services. The other half are a variety of contracts, many of which enable departments to get temporary help when needed. These should be analyzed case by case to determine which are to the City's interest and which are not.

RECOMMENDATION

12. The Civil Service Commission should not permit overtime pay to "Z" employees unless the overtime was incurred as a result of a declared emergency.

13. The Civil Service Commission should monitor very carefully the use of overtime and contracting-out.

XII. ACCUMULATED SICK LEAVE

FINDINGS

Corporations are taking firm steps to regulate the amount of sick leave that can be accumulated year to year as well as to establish the policy that there will be no compensation for accumulated sick leave at retirement. The City practice of granting paid time to retiring employees for their accumulated sick leave has serious implications for the rest of the work force. Positions must be held open until that time has passed, leaving departments short-staffed. The Grand Jury found that this is not only costly, but also the basis for complaints by those who criticize the system for its inability to provide services.

RECOMMENDATION

14. The City should prohibit compensation for more than one year's accumulated sick leave (i.e. thirteen days) upon an employee's retirement.

XIII. WAGES AND SALARIES

FINDINGS

One of the "Essentials of a Modern Civil Service Merit System," as compiled by the National Civil Service League and the National Municipal League is:

> "...a salary plan which is fair to all, adequate to recruit and retain competent people, and which provides

> incentives for superior performance; with machinery for adjusting salaries in relation to the economic situations and the need for maintaining efficient services."

The Grand Jury found that present procedures meet few of these desirable standards. Salary standardization links pay for miscellaneous and crafts workers to pay in other cities. "Benchmark" comparisons with other cities are used for police officers and firefighters, while MUNI workers enjoy a modified negotiation process.

The most important missing component is flexibility. The rigidity of the system led last year to a lawsuit that contributes in a significant way to the City's deficit. An award of $40 million was made to members of three classifications who claimed that salary standardization was not applied properly when raises were given to their classifications. A settlement was negotiated in May to bring this down to a $12 million payment.

The Board of Supervisors and the Mayor had to place a wage freeze on the ballot to deal with this year's deficit. They could not make decisions for themselves about how to negotiate salary freezes or reductions. The Grand Jury believes that the only way to restore flexibility is to create a process within City government that can determine wages and working conditions independently of automatic increases triggered by wages set in other jurisdictions.

RECOMMENDATION

15. The Mayor should appoint a broad-based Citizen's Committee on Municipal Wage Setting, to include those experienced in labor and management, to:

- **a. review and evaluate current wage-setting procedures for all civil service classifications,**
- **b. study alternative methods and proposals for municipal salary and wage determination, and**
- **c. recommend to the Mayor and the Board of Supervisors changes which will provide flexibility in determining salary and wages, as well as providing opportunity for incentives for superior job performance at all levels.**

METHOD OF INVESTIGATION

Interviews

Ann Branston	Deputy Chief Administrative Officer
Dean Coffey	Acting General Manager, PUC; at time of interview, Manager of the Water Depart.
Governing Board	Transport Workers Local 250A (Ray Antonio, Bobbie Brown, Claire Caldwell, William Jung, Robert McCollins, Irwin Leff(Counsel), and Alice Fialkin, Local 200)
Anne Halsted	Vice-Pres. Human Resources, US Leasing Intl.
Bill Maher	Member, SF Board of Supervisors
Roberta McDonough	Director of Management Training Development Unit, CSC
Leslie Miko	Deputy Director, Commission on Aging
A. Lee Munson	President, S.F. Civil Service Commission
Joyce Ream	Executive Director, Commission on Aging
Geoffrey Rothman	Deputy Administrator, Technical Services, CSC
Richard Sklar	Former General Manager, PUC
Paul Varacalli	Executive Director, Service Employees International, Local 790
Al Walker	Secretary to the Civil Service Commission
John Walsh	General Manager, Civil Service

Sources

San Francisco Charter
Civil Service Commission Rules - Issued July 1, 1984
Civil Service Commission Annual Report - 1986-87
Mayor's Fiscal Advisory Committee Phase I Report to the Civil Service Commission - December 1983
Letter from John Walsh to Jules Heumann, Foreman, Grand Jury
A "Hand To" Handbook on Discipline, PUC Bureau of Personnel and Training
Civil Service in San Francisco - A Study by the League of Women Voters
Past Grand Jury Reports
Past Ballot Propositions and Ballot Arguments

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HETCH HETCHY POWER

BACKGROUND

A significant event occurred during the term of this Civil Grand Jury affecting the Hetch Hetchy Water and Power System. It was the signing of 27½ year contracts with the Modesto Irrigation District (MID) and Turlock Irrigation District (TID) and the concurrent signing of a contract with Pacific Gas & Electric Company (PG&E) for service both to the Districts and to the city of San Francisco.

Hetch Hetchy is steeped in history, both good and bad. The good is that the City has striven over the years to protect its political grant and that it has respected the environment for which it is responsible. The bad is that the water and power which it controls is a financial bonanza to both public and private interests. The City has not been effective politically in controlling its own destiny or maximizing its financial return from the hydroelectric system.

The City protagonists have historically been the San Joaquin Valley communities desiring cheap power and abundant agriculture water. A new feature has been added: the development of industrial and urban real estate projects. Where farms once flourished, affordable single-family housing has grown to meet a thriving Bay Area housing market. Light industry is growing based on low taxes, cheap labor, cheap land and low cost power.

The other protagonist is PG&E, a major regulated public utility that has played a self-serving role in the long history of electric power as related to the Hetch Hetchy System and the city of San Francisco.

The 1973 Civil Grand Jury presented a study of the Hetch Hetchy complex and though it was presented at the time of an international energy crisis, much of its findings are relevant and worthy of review.

> The City and County of San Francisco has had for years an energy crisis of a different character: San Francisco is confronted with the problem of disposing of the electrical power which it generates at its own hydroelectric powerhouses.[1]

[1] San Francisco Water and Power, Sept. 1967, p34

San Francisco produces vast quantities of hydro power and owns transmission systems to the Bay Area. Yet San Francisco 'disposes' of its power elsewhere than to its citizens.

On December 19, 1913, the Raker Act was passed by Congress after long and heated debate.[2] It granted certain federal land and rights to San Francisco in Yosemite National Park and Stanislaus National Forest, upon the condition that water and power to be obtained from the contemplated project would be sold by the City directly to its inhabitants. The Act was the culmination of persistent efforts on the part of San Franciscans to assure themselves of adequate water and low rate electricity for their growing city.

The City, however, still does not sell or distribute its power to San Franciscans, despite the provisions of the Raker Act and Section 3.599 of the City Charter which states 'it is the declared purpose and intention of the people of the City and County, when public interest and necessity demand, that public utilities shall be gradually acquired and ultimately owned by the City.'

The failure to distribute power as contemplated by the Raker Act has over the years been the subject of considerable dispute. Litigation concerning such inaction on the part of the City has gone all the way to the Supreme Court of the United States.

When Hetch Hetchy power was first available it was disposed of through facilities of PG&E. In 1923 after proper hearings, it was determined by the Secretary of the Interior that such energy was being sold to PG&E in violation of the Raker Act.[3]

To avoid further violation of the law, San Francico entered into a contract with PG&E in 1925 whereby arrangements were made for PG&E to distribute the City's energy on its behalf. This contract was an attempt to set up an

2 Public Law 41, 63rd Congress
3 United States vs. CCSF 23 Fed. Supp. 40, 43 (1938)

agency agreement which would comply with the terms of the Raker Act which provides that, 'The said grantee (the City) shall develop and use hydroelectric power for the use of its people'[4] and that 'the grantee is prohibited from selling or letting to any corporation or individual, except a municipality or a municipal water district or irrigation district, the right to sell or sublet the water or the electrical energy owned or given to it or him by the said grantee: provided, that the rights hereby granted shall not be sold, assigned or transferred to any private person, corporation or association and in case of any attempt to so sell, assign transfer or convey, this grant shall revert to the Government of the United States.'[5]

In 1934 the Secretary of the Interior again investigated to determine whether San Francisco was complying with its obligations under the Raker Act and concluded that the Act was again being violated.[6] The United States brought suit in a litigation which ultimately reached the Supreme Court of the United States where, in 1940, the Court held that 'Congress clearly intended to require, as a condition of its grant, sale and distribution of Hetch Hetchy power exclusively by San Francisco and municipal agencies directly to consumers in the belief that consumers were thus afforded power at cheap rates in competition with private power companies, particularly Pacific Gas and Elelectric Co.'[7] An injunction was issued directing the City to cease its disposal of electric power through PG&E or be restrained from using the rights granted by the Raker Act for the generation and transmission of such power.

The Supreme Court in its decision finding that the City violated the terms of the Raker Act stated 'Mere words and ingenuity of contractual expression, whatever their effect between parties, cannot by description make permissible a course of conduct forbidden by law. When we look behind the word descriptions of the arrangements between the City and the power Company to what was actually done, we see that the City has, contrary to

4 Raker Act, Sec 9 (m)
5 Raker Act, Sec 6
6 U.S. vs CCSF Fed Supp 40, 44 (1938
7 U.S. vs CCSF 310 U.S. 16, 26 (1940)

the terms of Sec. 6, abdicated its control over the sale and ultimate distribution of Hetch Hetchy power.'[8]

The Supreme Court decision upheld the injunction 'directing the City to cease its present disposal of electric power or be restrained from using the rights granted by the Raker Act for the generation and transmission of such power.'[9] But the enforcement of the injunction 'was postponed from time to time until the City could find a way to dispose of its power.'[10]

Beaten in the courts, efforts were then concentrated on amendment of the Raker Act. At this point, President Roosevelt had something to say, writing that the Act had been passed and project developed upon definite assurances that the benefits it conferred 'would not be alienated from the people to private interests. For more than a generation, this condition to the grant, agreed to by San Francisco when it accepted the privilege of developing a water supply and source of hydro-electric power in a national park, has been violated and the people of San Francisco have not received the benefits that Congress expected them to get.'[11]

Then World War II saved the City. It was legally able to dispose of its power to a large defense plant. However, when the plant was closed in late 1944, the United States gave the City six months to comply with the Raker Act and the Court decisions. In 1945 San Francisco negotiated new contracts for disposal of Hetch Hetchy power. These contracts, with the Modesto and Turlock Irrigation Districts for sale of power and with PG&E 'wheeling' Hetch Hetchy power, were submitted for approval to the Interior Department of a subsequent administration.[12] As in the case of the 1925 Agreement with PG&E, the arrangements were approved. But as the Supreme Court said in respect to the 1925 Agreement with PG&E, 'We are asked to accept these administrative interpretations. And in addition the City

8 U.S. vs CCSF 23 Fed Supp 40, 43 (1938)
9 U.S. vs CCSF 23 Fed Supp 40, 53 (1938)
10 PG&E of Calif., Charles Coleman Copyright 1952 PG&E p323
11 Hetch Hetchy and its Dam Railroad, p266, FDR quoted
12 Hetch Hetchy and its Dam Railroad, p270

> suggests that conduct of the Department, of which these interpretations were a part, is sufficient to create an estoppel against the Government...We cannot accept the contention that administrative rulings - such as those here relied upon - can thwart the purpose of a common law. As to estoppel, it is enough to repeat that the United States is neither bound nor estopped by acts of its officers or agents in entering into an arrangement or agreement to do or cause to be done what the law does not sanction or permit.'[13]

In 1982, the citizens of San Francisco rejected a feasibility study of municipalizing the power distribution of Hetch Hetchy. It must be pointed out that PG&E spent a large sum of money to defeat this measure. Subsequently, the City commenced negotiations with the Modesto and Turlock Irrigation Districts for sale of Class 3 power.[14] This culminated in a memorandum of understanding between the City and the Modesto and Turlock Irrigation Districts and led to allegedly private discussions between the Public Utilities Commission and PG&E in 1984.

The Board of Supervisors approved an interim 2½ year contract between the City and the Modesto and Turlock Irrigation Districts for the sale to the districts of Hetch Hetchy power and PG&E power in 1985.

On February 29, 1988, the Board of Supervisors approved the final 27½ year contracts. There was limited public discussion and the City reluctantly provided information and documentation to the public. In fact, the PUC did not authorize public disclosure of information concerning the contracts until February 24, 1988. These 27½ year contracts were signed against the specific advice of the Board of Supervisors' Budget Analyst: "...we recommend the contracts be disapproved."[14] These contracts contain language permitting renegotiation in the event of municipalization of power.

13 U.S. vs CCSF 310 U.S. 16, 31, 32 (1940)

14 Class 1 power is that power which the Raker Act instructs San Francisco to sell to Modesto and Turlock Irrigation Districts at cost; it is specifically intended to operate irrigation pumps; Class 3 power is that which is not required by Class 1. According to the Raker Act, surplus Class 3 power should be going to the citizens of San Francisco.

15 Budget Analyst's Report to Board of Supervisors, February 27, 1988, p5

FINDINGS

It is possible that if the City municipalized its power, it could sell a combination of Hetch Hetchy power and purchased power to its citizens at a lower cost than they presently pay. By municipalizing its power the City will be in accordance with the Raker Act. We are led to believe that Hetch Hetchy power is used by Modesto and Turlock municipalities for sale at a profit to local residential, commercial and industrial users.

The City could sell electric power to municipalities at higher rates than those in the current Modesto and Turlock contracts. We are selling to MID and TID at 39¼ mills/kwh; San Jose has expressed interest in purchasing power at 78 mills/kwh.[16] Even with line losses and cost of delivery the City would earn more than at present.

In the process of this investigation the Grand Jury discovered that the City Charter provides that all contracts providing revenue to the City over one million dollars must be approved by the Board of Supervisors (Sect. 3.502). No such approval is required for contracts spending over one million dollars. Specifically, the MID and TID contracts, in excess of one million dollars for the sale of electric power, were approved by the Board of Supervisors. However, the contract with PG&E, in excess of one million dollars of purchase, did not have to be approved by the Board of Supervisors.

RECOMMENDATIONS

1. A study should be made to determine whether municipalization of power for the city of San Francisco is economically sound. Such a study will require the services of experts in requisite fields and should be supervised by a Citizen's Committee appointed by the Mayor. The Committee should ensure that the existing documents and reports[17] are made available to the experts.

2. There should be an amendment to the City Charter Sect. 3.502 requiring approval by the Board of Supervisors for contracts, revenue or purchasing, in excess of one million dollars.

16 PUC Minutes Feb. 17, 1988 p88-128

17 Such as the Raker Act; 1973 Civil Grand Jury Report on Hetch Hetchy; Budget Analyst's Reports of May 6, 1985 and February 3, 19 and 27, 1988; the MID, TID and PGE contracts; and any other relevant reports and contracts.

METHOD OF INVESTIGATION

Interviews

Thomas M. Berliner	Deputy City Attorney
Ken Bruce	Budget Analyst's Office
Dean Coffey	Acting General Manager, Public Utilities Commission
Marvin Geistlinger	Purchaser
Richard Hongisto	Member, Board of Supervisors
George Kreuger	Deputy City Attorney, PUC General Counsel
John Molinari	Member, Board of Supervisors
Leonard Snaider	Deputy City Attorney
Nancy Walker	President, Board of Supervisors

Meetings

Board of Supervisors Finance Committee - Four meetings
Board of Supervisors - Two meetings
Public Utilities Commission - Hearing on Hetch Hetchy contracts

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DEPARTMENT OF PUBLIC HEALTH

I. INTERIM REPORT ON AIDS - JANUARY 1987

BACKGROUND

The Civil Grand Jury in reviewing the Department of Public Health elected to give first priority to investigating the response of the Department to the AIDS epidemic.

The Grand Jury interviewed current and past employees of the Department and members of the Health Commission. The Jury was impressed by the competence and dedication of the public health officials dealing with the AIDS problem. From several sources, the Jury learned that San Francisco leads all other communities in its humane and imaginative dealing with this public health crisis.

Statistics of the Health Department indicate that the rate of increase in new cases in the uninfected homosexual population is now less than 1% compared to 20% in 1981 and 1982. Increasing spread of the infection from the Human Immunodeficiency Virus (HIV) has been contained by education and prevention programs enacted by the Health Department and by responsible reactions to those programs by the homosexual high-risk group. However, tremendous costs ($10 million from the City's General Fund in 1987) to care for those already infected will continue to strain the City's resources for years to come.

The forecast for the intravenous drug user group, particularly in the lower-income minority communities, is of serious concern to the Grand Jury. Runaway teenagers and the homeless are also included in this high-risk group. This intravenous drug user high-risk group is more difficult to reach and may not respond to current Health Department education and prevention programs. This group also represents the highest potential for the spread of AIDS heterosexually. Those interviewed generally agreed that the risk is spreading and may now be out of control. San Francisco faces a crisis both in risk to life and in cost unparalleled in its history.

FINDINGS

The 1987 Mayor's Task Force on AIDS is composed of sixteen members. Of these nine are medical doctors and six are related to the public health field. However, the AIDS problem also has budget implications for the City's social service agencies, jails, schools and businesses. Their interests are not represented on the present task force.

Projected costs for treatment of AIDS patients in San Francisco in the next five to ten years show figures rising into billions of dollars. Although some of the treatment costs are now paid by private insurance and MediCal, the I.V. drug user high-risk group is less likely to be covered by insurance. Thus city, state and federal funds will be in much greater demand. Radical new approaches to treatment will be required because of the far-reaching consequences of this epidemic. In ten years, the projected number of AIDS patients will strain the City's medical facilities. Many more alternate treatment facilities will be needed. Immediate intervention is necessary to avoid having to make treatment versus cost decisions contrary to human values.

Despite the exemplary job being done by the Health Commission on the AIDS problem, the scope of their responsibilities encompasses all public health concerns. They are currently able to devote approximately 20% of their total time to AIDS. The Grand Jury concluded that the Health Commission should be augmented by an advisory group that is totally committed to working on AIDS.

RECOMMENDATIONS

1. The Mayor and Board of Supervisors must support the Health Department by assigning higher priority to:

a. educating the entire community, particularly high-risk groups, that AIDS is a disease that can be prevented by responsible behavior,
b. obtaining more state and federal funds to help meet the challenges posed by the high-risk intravenous drug user group, and
c. increasing law enforcement pressure on narcotics dealers and users.

2. A Mayor's Task Force on AIDS should have half its members drawn from the affected non-medical community.

3. The Health Commission should appoint an advisory committee devoted entirely to the HIV/AIDS crisis. In addition to medical doctors, this committee should include experienced non-medical decision makers, law enforcement officials, corporate executives and community leaders.

II. MENTAL HEALTH

BACKGROUND

The Public Health Committee of the 1987-88 Grand Jury elected to look into mental health problems in San Francisco after completing a report on the AIDS crisis. The committee visited the Director of Mental Health, the Episcopal Sanctuary for the Homeless, many of whom are considered to be mentally ill, the Larkin Street Youth Center for homeless/runaway children and the McAuley Neuropsychiatric Institute.

FINDINGS

The Grand Jury learned that the demand for mental health treatment in San Francisco exceeds the current capacity of the system. Most acute-care mental patients are sent out of county for treatment due to the lack of facilities here. We also learned that a major concern of the professionals in the field is the welfare of mentally ill adolescents and the dearth of treatment facilities for this vulnerable and important segment of our population. The Grand Jury then decided to look further into the problems of mentally ill adolescents.

At the Larkin Street Youth Center for homeless/runaway children (12 to 17 years old), we were told the City's ability to deal with this large group of young people (approximately 1500 to 2000) leaves a great deal to be desired. These youngsters, some of whom are from San Francisco families and some of whom are from outside the city, are exposed to conditions that are harmful to their physical and mental health and are often exploited by criminal elements. Approximately one-third of these youths have attempted suicide and another one-third exhibit suicidal tendencies. While approximately 75% of homeless/runaway adolescents are here from other cities and counties, Social Services

intervention facilities are reserved for San Francisco residents only. Nonresidents are to be returned to their homes regardless of whether the youth will stay there. Family reunification, which is the primary objective of state mandated child welfare services, is not a realistic goal for a significant portion of homeless/runaway youth who have been abandoned by their parents or who have left abusive family situations.

Of the estimated 1500 to 2000 homeless/runaway youth in San Francisco approximately 15% receive help. A majority of them are often forced to engage in criminal activity such as prostitution and drug use as a means of survival. A recent study by the Los Angeles Children's Hospital concluded that 84% of the homeless/runaway youth seen at a medical clinic in Los Angeles were diagnosed as being depressed and 18% were diagnosed as having major mental health problems. Moreover, when compared to their peers, homeless/runaway youth were 4.5 times as likely to be suicidal. It is estimated that a majority have histories of physical and/or sexual abuse that contributed to these problems.

The McAuley Neuropsychiatric Institute for young adolescents and children is the only acute care facility for the adolescent mentally ill under contract to the city. McAuley provides 20 beds and 3 day-care outpatient slots for adolescents. There is also a critical shortage of sub-acute and residential treatment facilities for adolescents.

The director of the Larkin Street Youth Center advised the Grand Jury that the basic bureaucratic problem is that teenagers are considered children. But the courts and child welfare system do not work with them as a priority. They are, in effect, frozen out of the service system. As children, responsibility for their welfare is considered to rest first with their parents and then with the Department of Social Services in the county in which their parents reside. Therefore, the San Francisco Department of Social Services takes the position that their sole responsibility for homeless youth is to return them home. Since many of these children have been abandoned by their parents or have left abusive family situations, returning them home does not solve the problem (only 35% return home).

Most of the programs serving homeless/runaway youth are operated by private agencies. Because these programs are not always well integrated with established public programs, access to treatment services becomes complicated and sometimes impossible.

RECOMMENDATION

4. The Mayor should appoint a task force on homeless youth, separate from the current homeless program, to coordinate the efforts of all agencies, public and private.

METHOD OF INVESTIGATION

Interviews - Interim Report on AIDS

John Blumlein	Member, S.F. Health Commission
Dean Echenberg, M.D., Ph.D.	
Naomi Gray	Member, S.F. Health Commission
Phillip Lee, M.D.	President, S.F. Health Commission
Sandy Mori	Secty. to the S.F.Health Commission
Thomas Peters, Ph.D.	Associate Director of Health
Florence Stroud	Deputy Director, Community Health Programs
David Werdegar, M.D., M.P.H.	Director of Health

Sources

Public Health Department: Status Report and Plan for FY '87-'88

Interviews - Mental Health

Victoria Brown	Case Management Therapist, Dept. Mental Health
Jed Emerson, M.S.W.	Director, Larkin Street Youth Center
Stephen Krauss, M.D.	Chief Physician, McAuley Neuropsychiatric Institute
Rev. William Nern	Director, Episcopal Sanctuary
Jane Pryor, R.N.	Psychiatric Nurse for South of Market Mental Health Center
Reiko True, Ph.D.	Director, Department of Mental Health

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THE DEPARTMENT OF PUBLIC WORKS

BACKGROUND

San Francisco's Department of Public Works (DPW) consists of the Office of Financial Management and Administration, the Bureau of Water Pollution Control/Clean Water Program and eight engineering and operations bureaus. They are the bureaus of: Architecture, Building Inspection, Building Repair, Engineering, Telecommunications, Traffic Engineering & Operations, Street Cleaning & Urban Forestry and Street & Sewer Repair.

For the fiscal year 1986-87 the Department of Public Works (DPW) achieved 92% of its stated objectives under the City's Management by Objectives (MBO) program. This represented a 2% increase in achievement over the 1985-86 objectives. MBO reports for the first and second quarters of fiscal year 1987-88 show that most DPW bureaus continued to meet or exceed objectives.

Tours of facilities and interviews with employees by the Grand Jury revealed that morale within the department is relatively high. Richard Evans, Director since January 5, 1987, is committed to the MBO program and appears to be aware of and concerned with his staff's work, as well as their problems. He is seen as a strong leader and decision maker. Mr. Evans was the recipient of the Mayor's 1987 "Department Head of the Year" award.

Based on recommendations of the 1983-84 Civil Grand Jury and general concerns expressed by private citizens, the 1987-88 Grand Jury elected to study the Bureau of Building Inspection. The Jury also surveyed the Bureau of Building Repair.

The Bureau of Building Inspection (BBI) operates three primary programs: permit processing and issuance for all new building and alteration construction work in the city; construction inspection of new and alteration construction in progress; the property conservation program which involves periodic inspections for code compliance in existing apartment buildings and hotels and investigations of complaints. The 1983-84 Grand Jury emphasized permit processing problems at BBI and made recommendations for improvement. There have been no Grand Jury investigations since the 1983-84 report. Permit processing problems were still evident in the 1985-86 fiscal year, as noted in the Mayor's MBO evaluation report for that period.

The Bureau of Building Repair operates and maintains most major city buildings (225 buildings in 35 locations) and provides contractual maintenance and repair services for most city facilities (including three bridges and three tunnels). The Grand Jury inspected the vehicle maintenance yard and repair shops facilities at 2323 Army Street.

The 1987-88 Grand Jury decided to study the following areas within the Department of Public Works:

I. Department of Public Works - General

II. Bureau of Building Inspections

III. Bureau of Building Repair

I. DEPARTMENT OF PUBLIC WORKS - GENERAL

FINDINGS

A major function of the Department of Public Works (DPW) is maintaining city streets. DPW does not have an efficient method of locating potholes and other street surface defects. This is also true for defaced and missing street signs. The Department relies on interested/affected citizens who take the time and trouble to report such problems. In addition it receives reports from department employees in the field. However, the Grand Jury found that citizens are not aware of DPW's dependence on their reports. The public needs to be reminded of its civic responsibility to help in maintaining the City's property. We also need a simple method for contacting DPW, such as DPW's concise and informative public service telephone numbers card.

It is apparent that vehicle replacement schedules for the DPW fleet are based on budget availability rather than age, usage and maintenance cost factors. This method of vehicle replacement results in higher costs because of increased downtime, repairs and vehicle rentals. DPW's vehicle fleet currently totals 651. Of these, 23% are over 9 and up to 35 years old. A 1980 Touche-Ross audit indicated that one-sixth of the City's street sweepers should be replaced yearly. Actual replacement has been decreasing yearly from 5 in 1984 to one budgeted in 1988-89, which represents one-fortieth of the current sweeper fleet.

Scheduled maintenance on DPW vehicles is done at the Purchasing Department's central shops. Maintenance and repair scheduling between the maintenance yard and central shops is coordinated by one DPW employee. Some minor repairs and unscheduled maintenance are done at the DPW maintenance yard.

The Purchasing Department has developed a computerized Maintenance Management System scheduled to be operational by September, 1988. This data base would provide all relevant information on every vehicle in the fleet, including maintenance and repair history, and will be accessible to the appropriate DPW departments. This system should facilitate and improve maintenance of DPW vehicles.

The Controller's definition of "Capital Equipment" for budget purposes was established in 1980-83 as any item costing over $400 with a life cycle of three years. The Grand Jury finds that this definition restricts a manager's ability to operate his shop in the most efficient and cost-effective manner. When a non-line-item expenditure is necessary, this restrictive defiinition can dictate purchasing of less expensive and ineffective equipment resulting in higher costs per unit of work.

DPW encompasses a wide spectrum of professional levels: manual, technical, professional and administrative. These jobs are filled by people representing a variety of ethnic and cultural backgrounds. Although DPW seems to take advantage of available training programs within its budget, there is a need for more training in the following areas: public contact skills, supervision and management of a diversified workforce, and management skills to facilitate promotions through the ranks.

The Grand Jury concluded that an increased training budget is in the City's best interest. The savings associated with increased productivity, reduction in number of grievances and reduced downtime would far outweigh the required training costs.

DPW and the Grand Jury find a need for increased participation by key employees in technical and professional conferences and seminars. DPW's budget is not adequate for this purpose. Employees often pay their own way to these conferences.

RECOMMENDATIONS

1. DPW should develop a public information campaign to educate city residents that the department relies on the public's reporting of potholes, street surface defects and missing and defaced street signs.

2. DPW should publicize its service telephone number in addition to its listing in the telephone book.

3. The Department of Purchasing should work to expedite implementation of the computerized Maintenance Management System.

4. Using the data provided by the Maintenance Management System, DPW should develop a Vehicle Replacement Schedule based on life cycle costs, demonstrating long-term cost effectiveness.

5. The Controller should raise the dollar amount in the cost definition of "Capital Equipment" to reflect current costs.

6. DPW should develop quantitative data to demonstrate that investment in training is cost-effective to the City.

II. BUREAU OF BUILDING INSPECTION

FINDINGS

In February 1987, the Bureau of Building Inspection (BBI) launched a comprehensive plan for department-wide improvements in physical facilities, human resources and operating methods. Nine problem areas were identified for action: working space, staffing, records management computerization, revenue control, workload productivity and standards, permit issuance, building inspection system, public service function and coordination with other city departments.

As of March 1988, BBI had achieved significant progress on their short-term and intermediate goals in these nine areas. However, significant improvements in the plan to improve permit issuance procedures has not yet been achieved due to interrelated problems. A plan to alleviate overcrowding at 450 McAllister Street involved moving some employees to 1680 Mission Street and remodeling McAllister Street. This plan is approximately eight months behind schedule.

In October 1987, BBI phased in a one-step permit review process that was recommended in the Mayor's 1985-86 MBO evaluation report. The 1986/87 MBO report shows that approximately 80% of permit applications were received within the one-step process. This compares with approximately 40% in previous years.

BBI has a serious understaffing problem with building inspectors. There are currently 21 in the field. The department issues approximately 20,000 building permits a year. These permits require an average of five inspections each, totaling 100,000 inspections. A 230-workday year and the current average of 11 inspections per day would require some 39 inspectors for adequate coverage. The present number of field inspectors cannot meet this demand.

Based on a recommendation of the 1983-84 Grand Jury, BBI established a Public Services Division, consisting of an information booth and offices at the entrance to the permit review section. This service assists permit applicants and accelerates the process for counter service employees. All telephone calls and mail to BBI are handled or re-routed by employees of the Public Service Division. The information booth is not clearly marked and could be bypassed by distracted or less observant clients.

Public contact training for BBI employees is important because the city's population is ethnically diverse. BBI employees and the clients they serve reflect this diversity.

RECOMMENDATIONS

7. The Bureau of Building Inspection should budget for, and hire, more field inspectors.

8. BBI's remodeling plans for the Public Services Division should emphasize much bolder and clearer signs and graphics directing applicants to the information booth.

9. BBI employees dealing with the public should receive additional public contact skills training with emphasis on language and cultural differences.

III. BUREAU OF BUILDING REPAIR

FINDINGS

The Grand Jury visited the paint, electric, woodworking and sheetmetal shops. These facilities were built in 1949 and still contain some of the original equipment. The cyclone dust collector/exhaust unit at the woodworking shop, now located inside is noisy and detrimental to worker productivity.

RECOMMENDATION

10. The cyclone dust collector/exhaust unit at the woodworking shop should be moved outside the building.

METHOD OF INVESTIGATION

Interviews

Peter Burns	Director, Public Service Division, BBI
John H. Busher	Asst. Superintendent, Bureau of Street Cleaning and Urban Forestry
Robert Todd Cockburn	Exec. Director, S.F. Clean Water Program
Thomas Corlett	Plan Reviewer, Counter Services Division, BBI
Dave Cowley	General Superintendent, City Shops (by phone)
Richard Cummings	Asst. Superintendent, BBI
Richard Cunningham	Superintendent, Street and Sewer Repair
Richard J. Evans	Director, Dept. of Public Works and Clean Water Program
John J. Farrell	Controller
David Fong	Chief Assistant Controller
Roy Fong	Superintendent, Bureau of Building Repair
Adrienne Frazier	Expediter, BBI
John Gregson	Superintendent Bureau of Building Repair
William W. Keaney	Deputy Manager, Bureau of Water Pollution Control
Joseph Lee	Plan Reviewer, Plans Approval Division, BBI
Donald Levy	Plan Reviewer, Counter Services Division, BBI
Larry Litchfield	Superintendent, Bureau of Building Inspection
Frank H. Moss, Jr.	Deputy Director, Engineering
John W. Roumbanis	Superintendent, Bureau of Street Cleaning and Urban Forestry
Scott Shoaf	Deputy Director, Dept. of Public Works
Robert Wong	Plan Reviewer, Plans Approval Division, BBI
Raymond Zhand	Asst. Supt., Bureau of Building Repair

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PURCHASING DEPARTMENT

BACKGROUND

The 1987-88 Grand Jury investigated the Purchasing Department to determine the efficiency of the existing system and if the City & County is receiving the best pricing, quality and delivery from its vendors.

The investigation started because of vendor complaints of slow payment by the City and statements by vendors that they would not do business with the City. Some say the City is overpaying for goods and materials that it buys because of its own complex buying and paying procedures. Many who sell to the City increase their prices to pay for the incremental costs associated with City buying practices.

A Procurement System Project was initiated in the Fall of 1986 and improvements in the purchasing function have occurred. Notably, many purchasing activities have been shifted from City Hall to the operating locations of the major departments.

Charter amendments were passed by the voters in 1986 and June, 1988 in an effort to continue to streamline and improve the productivity of the Purchasing Department.

One billion dollars of goods, materials and services are acquired annually by the City, using obsolete business practices that were designed in the thirties to meet the needs of a different time. Today they are needlessly costing the taxpayers an unknown amount of money.

Changes are being made by the Director of Purchasing. The Grand Jury applauds his business-like approach. The Department has been most cooperative in assisting the Grand Jury, particularly in its examination and understanding of the problems that distinguish City purchasing from commercial purchasing.

The 1987-88 Grand Jury studied the following areas within the Purchasing Department:

I. Computerization

II. Cost of Minority, Women & Local Business Enterprise Program

III. Employee Stock Ownership Plan/Garbage Collection Rate Setting

I. COMPUTERIZATION

FINDINGS

In January 1987, the Mayor expressed an overriding concern that the Purchasing Department be brought into the twentieth century. She felt the number one priority was to be automation of the purchasing and accounts payable systems. This has been the thrust of outside consulting reports and internal programs for the past fifteen years.

The most current Procurement System Project in October 1986 showed that city departments process approximately 80,000 purchase orders, term purchase agreements and associated documents per year. The distribution of these documents is:

Public Utilities Commission	16.5
San Francisco General Hospital	15.7
Other health related	10.9
Department of Public Works	7.0
Airport	6.8
Recreation & Park Department	6.1
Community College	4.7
All other departments	32.3
	100 %

The City's purchase order and payment cycle take an average of 92 days. The order cycle in average number of days is:

Prepare requisition by user department	-	
Review by Purchasing Department	25	
Encumber funds by Controller	11	
Place order by Purchasing Department	2	
Receive goods from vendor	15	
		53 days

The payment cycle in average number of days is:

Receive goods, prepare receiving report by user department	14	
Match receiving report to invoice by Purchaser	10	
Audit and draw check by Controller	15	
		39 days
		92 days

The Procurement System Project has specified the major functional requirements and evaluated existing commercial, government and public domain software systems. Estimated costs in thousands of dollars are:

FISCAL YEAR	88-89	89-90	90-91	TOTAL
One time cost estimate	446.5	309.0	-0-	755.5
Ongoing cost estimate	128.0	253.5	223.5	605.0
Total annual	$574.5	$562.5	$223.5	$1360.0

A timetable has been presented that will result in a system recommendation and implementation plan by the end of 1988 and a functioning program by 1992. In the interim, the Purchaser's tracking system for documents has been installed and is operational. This allows control over the flow of documents by the Purchasing Department and provides the basis upon which procurement operations can be monitored. This system was implemented by the Purchasing Department within the last six months for City Hall operations. The ability to control citywide contracts and purchases is limited. Existing manual methods are untimely and result in delays must be used.

RECOMMENDATIONS

1. The Mayor, in conjunction with the Purchaser and Controller, should assign top priority to accelerating computerization of the ordering and invoicing systems. This includes the purchase order process, the purchase order payment process and the document processing system. The tracking of all contracts and documents should be expanded citywide to include centralized tracking of contracts for goods, services and construction under the Purchasing Department.

2. The Director of Purchasing should have the authority to consolidate city purchasing and contracts in a single computer system so that the Department is the source of all purchasing information within the city.

II. COST OF MINORITY, WOMEN & LOCAL BUSINESS ENTERPRISE PROGRAM

FINDINGS

City Ordinance Number 139-84 "Minority, Women and Local Business Enterprises" (MBE, WBE, & LBE) has placed goals for promoting women and minority-owned vendors as suppliers to the City. The ordinance requires implementation by the Human Rights Commission, the Purchasing Department and other city departments. The incentives for the program allow 5% preference in bidding for minority or women-owned businesses and an additional 5% preference for firms domiciled in San Francisco.

The primary step was certification which resulted in the verification of approximately 600 MBE and WBE businesses throughout the Bay Area, the State of California and other parts of the country. It was noted that 50.8% of these businesses were within the City.

A "Contracting Participation Report 1984-85 and 85-86" was prepared by the Human Rights Commission that resulted in a management audit by the Board of Supervisors' Budget Analyst. Because of the high sensitivity of the political issues involved, an inordinate amount of time has been spent by the Human Rights Commission and others affected by the ordinance. The 1986-87 report is not yet available.

On March 23, 1987 the Ninth Circuit U.S. Court of Appeals ruled on Associated General Contractors of California, Inc. et al v. City and County of San Francisco on the award of contracts under the MBE/WBE/LBE ordinance. The City Attorney stated the court's ruling to be essentially as follows:

1. the MBE bid preference may not be applied to city contracts;

2. the WBE bid preference may be applied to contracts where the Charter does not require competitive bidding;

3. the LBE bid preference may be applied to all city contracts.

The City Attorney has appealed this ruling to the Supreme Court of the United States and as of this time the case or similar cases have not been heard. In the meantime the ordinance remains in effect.

Implementation of the program has been difficult and poorly supported particularly in the reporting and functional control areas. Without computer reports the manually prepared information lacks timeliness and suffers inadequacies.

The benefits of the program, the costs of which are borne by the taxpayers of San Francisco, do not flow back to the City if the enterprise is located outside the City. The costs are both direct and indirect. Bid preferences are direct expenses and add to the cost of goods and services. Indirect costs include additional administrative and overhead expense. The total cost of the program at this time, and its effect upon the City budget, has not been determined.

RECOMMENDATIONS

3. The Board of Supervisors should undertake a cost analysis of the direct and indirect cost of the Minority, Women and Local Business Enterprise program.

4. The Board of Supervisors should amend the Minority, Women and Local Business Enterprise ordinance to limit its effect to minority and women-owned small business enterprises that are domiciled within the City and County of San Francisco prior to any extension of Ordinance Number 139-84.

III. EMPLOYEE STOCK OWNERSHIP PLAN AND GARBAGE COLLECTION RATE SETTING

FINDINGS

The Grand Jury reviewed the rate setting procedure and formula used to establish garbage collection rates within the City. Rates for the collection of residential garbage and debris box disposal are set by a special Board consisting of: the Chief Administrative Officer, the Controller, and the General Manager of the Public Utilities Commission. This procedure does not require Board of Supervisors approval. The Rate Board allows a 95% operating ratio of expenses which results in a 5% operating profit, before taxes, for the private independent companies.

Prior to 1987 San Francisco residential garbage collection was done by employee owned private companies. As both the employees and the industry matured, share ownership became more valuable. Redistribution of the shares to new participants called for reorganization. As a consequence, contemporary financing techniques (Employee Stock Ownership Plans called ESOPs) have resulted in the merger of existing companies into NORCAL Solid Waste Systems, Inc. This new company serves 15 northern California communities and parts of Denver, CO. and Medford, OR. In order to accomplish this reorganization the NORCAL ESOP borrowed significant sums. The City Garbage Rate Setting Board has not allowed ESOP debt payment interest or principal as part of the rate base.

RECOMMENDATION

5. The Garbage Rate Setting Board should be vigilant to assure that the costs of the Employee Stock Purchase Plan are not included in the rate base or in the accounts used in determining the costs of collection.

METHOD OF INVESTIGATION

Interviews

Phil W. Arnold	Asst. General Manager for Administration, Recreation & Park Dept.
James T. Breslin	Asst. Director of Purchasing & Service
Evangeline Bruce	Financial Services Manager, Office of the Controller
Mary Burns	General Manager, Recreation & Park Dept.
Robert Carlson	Financial Manager, Dept. of Public Works
William Courtright	Budget Analyst's Office
Richard Cunningham	Supt. Bureau of Street & Sewer Repairs Department of Public Works
Mary Fitzpatrick	Systems Manager, Purchasing Department
David Fong	Chief Assistant Controller
Marvin H. Geistlinger	Director of Purchasing & Services
Wayne Gerstenberger	General Superintendent, Equipment Maintenance, MUNI
John Guthrie	Financial Operations Director, Office of the Controller
Tim Johnson	Mayor's Office, Solid West Disposal
Stanton Jones	Budget Analyst's Office
Rudy Nothenberg	Chief Administrative Officer
Len Snaider	City Attorney
Ed Walera	Senior Asst. Administrator, SF General Hospital

Meetings

Human Rights Commission

COMMITTEE

Nathaniel C. Berkowitz, Chair
Mildred Rauls
Felix V. Robles
John G. Selway
Frieda Shapiro

DEPARTMENT OF SOCIAL SERVICE

BACKGROUND

The Department of Social Services (DSS) is responsible for the administration of all City public assistance and social service programs. Of the fifteen divisions, the Family & Children's Services Division (FSCD) is the most complex. It has a wide range of activities designed to provide a stable life for children from birth to age 18. Workloads vary by activity with the heaviest caseloads in emergency response, sexual trauma and court intake. It is difficult to describe the workload of Child Welfare workers in terms of the number of cases they handle because of their long-term nature. It is rare that a worker can provide short-term service and close a case. A case opened in the emergency response unit can eventually involve several of the other units' activities.

In 1981-82 the Department terminated over 400 staff members. In addition all middle management positions in Child Welfare were eliminated. During the period 1983-87 emergency referrals increased 271% and Juvenile Court filings increased 313%. The dramatic increase in the number of child abuse cases reported has overloaded the entire division.

The much publicized death in August 1986 of a child in a foster home led the Grand Jury to study the Department of Social Services. The Jury examined the existing administration with regard to the following issues:

I. The Search for a New General Manager

II. Family and Children's Services Division

- A. Staff Concerns
- B. Management Information System (MIS)
- C. Social Service Technicians (2904)
- D. Unit Clerks (2914)

I. THE SEARCH FOR A NEW GENERAL MANAGER

FINDINGS

The Grand Jury feels that a department with a budget of $200 million and 1200 employees should not have gone without a General Manager (GM) for one and a half years.

After the resignation of Edwin Sarsfield on December 15, 1986, the DSS Commission's first task in selecting a new GM was to appoint a nine-member Citizens Advisory Committee comprised of community leaders. This took three months. The five-member DSS Commission and the Citizens Advisory Committee screened over 200 applications and the Commission interviewed five applicants for the GM's position. In early November 1987, a candidate was chosen by the Commission. Because of the pending mayoral election the position was held open for the new mayor's approval. In January 1988, Mayor Agnos did not approve the selected candidate. On February 17, the search was reopened and announcements were mailed to 218 contacts. Applications were accepted through March 15. In April, the DSS Commission narrowed the field of eight applicants to three finalists to be recommended to the mayor. On May 16th, the Mayor named one of the three as the next GM. The new GM began her appointment on June 15th, a year and a half after Mr. Sarsfield's resignation.

The selection and organization of the Citizens Advisory Committee was a time consuming process. The DSS Commission's purpose in appointing this Committee was to involve the community. The commissioners state that many good ideas came from members of the Committee. However, in the final selection, the commissioners acted independently and did not interview all the candidates that the Advisory Committee had recommended. The Grand Jury feels that the commissioners, as empowered by the City Charter, should have screened and selected their candidate. The establishment of the Advisory Committee encumbered the selection process.

RECOMMENDATION

1. The Mayor and the Department of Social Services should streamline the method of selection of a General Manager. The process takes too long. A General Manager should be appointed in three to six months after a vacancy occurs.

II. FAMILY AND CHILDREN'S SERVICES DIVISION

A. Staff Concerns

FINDINGS

Heavy caseloads, lack of organization, staff shortages and lack of communication within the department all contribute to low morale.

The Child Welfare staff of the Family and Children's Services Division is highly trained, experienced and a committed group of professional and support personnel. Their dedication and commitment to professional standards is commendable. Grand Jury interviews with past and present employees revealed that their morale is very low. To quote a concerned worker, "Many in the Department feel we are working under an overriding cloud of doom. We sit in fear waiting for a child to die."

In November 1987, the Grand Jury visited various on-site locations of the Child Welfare Division including Children's Home Society, emergency shelter homes and Andrew Jackson School which houses the Emergency Response Units. The Grand Jury found that there is widespread dissatisfaction with budget restrictions, personnel policies and administrative procedures. Management and staff express considerable variation in what have been identified as goals compared to what actually takes place. DSS consistently finds itself without plans to deliver services when funding is made available. This has led to carryovers of monies from one fiscal year to the next or to the return of funds to the City's General Fund.

The Grand Jury received the following letter from twenty Child Welfare workers and supervisors expressing their concerns on these issues:

1. That the department and division are more fragmented than ever before;
2. That staff with professional concerns representing groups within the division have been ordered to adhere to a 'gag order;'
3. That 20% of the Family and Children's staff are not 'on the line.' That is they have been pulled off services to children and families to provide other special projects and support duties;
4. That the Chairpersons from the CWLA General Implementation Committee are feeling confused, misled and that their recommendations are not being implemented.

These disturbing events have caused some, if not all of the chairpersons, to consider resignation;
5. That the process of reorganizing, transfers, and staffing is chaotic, haphazard and without any input from line staff and line supervisors. That no professional consideration is being given to standards, strengths and specific skills of professional social work and clinical social work staff. That no input from professional social work organizations is being considered;
6. That repeated internal reports, memos and warnings regarding serious problems at intake with the emergency hotline phones, emergency staff investigators, and other severe staff shortages, are creating an inability to meet staff and federal regulations. These crippling situations are resulting in an estimated 25% of all other referrals and mandated written reports, some of which are months behind;
7. That one year later after the $50,000 Child Welfare League of America investigation was released, little has changed which would directly benefit the children and families of San Francisco...In conclusion there are promises to be kept and children in dire need. Please help. Thank you.

In 1987, the Mayor's Task Force on Dependent Children identified and reviewed the major problems of San Francisco's Child Welfare System. Its ultimate purpose to determine the enormity and complexity of the mandate (federal, state and court regulations) to provide care and safety to dependent children may have overwhelmed the FCSD. In some cases this did occur.

As a result of this study Mayor Feinstein ordered a detailed study by the Child Welfare League of America (CWLA), a national standard-setting agency for the child welfare field. This comprehensive study was conducted during the period November 1986 - April 1987 at a cost to DSS of $100,000. The final report was released in June 1987.

According to the CWLA study, the Child Welfare Division's services reflect serious flaws which impair its primary mission. A few of the major deficiencies are: lack of middle management, fragmented communication between the higher levels of DSS and the Division, inadequate facilities and isolation from the budget planning.

The Grand Jury discovered that the lack of participation by the Child Welfare management in budget planning severely handicapped the FCSD. The staff feels that the DSS Administration and the DSS Director of Budget and Fiscal Operations do not understand their needs. Furthermore, they stated that the Administration readily admits this.

On July 1, 1987, the DSS formed a CWLA Implementation Committee. It is composed of representatives from the DSS Commission and staff, the Supervisors' Advisory Committee, the Mayor's Office and community groups.

During this past year the committee has defined the mission of the FCSD. It is to identify, prevent and remedy conditions which place children at risk of neglect, abuse and abandonment, with top priority given to maintaining the family. As a result, a process for long-range planning has been adopted by the Commission. As of October 1, 1987, a new organizational chart went into effect and three new assistant directors were chosen. The Policy and Procedure Handbooks are being revised. Caseloads still remain heavy and demands for services continue to increase. Dollars are not increasing at the same rate. As a result, morale is still low. After months of meetings, the committee stated that, "The case management concept is difficult to implement."

RECOMMENDATIONS

2. The new General Manager must seriously consider the issues outlined in the staff letter and respond to their concerns.

3. The new General Manager and the Administration should expand the lines of communication on all levels of the Child Welfare staff.

4. The new General Manager and the Department of Social Services should implement the Child Welfare League of America's study and install an Automatic Call Distributor for public hotline numbers to improve emergency response.

5. The new General Manager and the Director of Budget and Fiscal Operations should give budgetary responsibility, authority and accountibility to the Child Welfare management.

6. Child Welfare Assistant Directors should receive input from line supervisors before making transfers of workers.

B. MIS/Where are the Computers?

FINDINGS

The lack of a Management Information System (MIS) in Child Welfare leaves a critical gap in its ability to manage its complex service. The CWLA study report states,

> It is difficult to understand why the development of a management information system in Family and Children's Services Division has had such a low priority over the years since the personnel and computer capability do exist at the Department level.

The Grand Jury found that the DSS administration does not recognize this critical gap. One administrator stated, "We are only talking about three thousand children." The general lack of leadership in the Administration also caused a great deal of confusion in the department, particularly in Child Welfare which is service oriented compared to other DSS programs that provide maintenance.

WHERE ARE THE COMPUTERS?????? According to the CWLA report, a decision had been made to remedy the problem and an MIS team was in place. The Grand Jury found that the Child Welfare members of the MIS team diligently worked to develop the MIS design. The DSS commissioners who chaired the team worked with the DSS Administration to provide funding for the computers. Estimates of the funds available ranged from $200,000 to $1,600,000. However, numerous obstacles that cannot be solved in this fiscal year ('87-'88) surfaced. Confusion reigned in the department. The necessary city and state approvals were not granted. The Acting General Manager stated that monies were never slated for the MIS and that some of the monies that may have been available have already been used on other projects. Many members of the CWLA Implementation Committee were frustrated and angry at the lack of consistent leadership in the Department. After six months, the Grand Jury was also frustrated in its attempt to investigate the computer issues.

RECOMMENDATION

7. The new General Manager and the Social Services Commission should develop a computer system (MIS) capable of operating independently of the Department of Social Services Case Data System.

C. Social Service Technicians (2904)

FINDINGS

There is a critical need for more Social Service Technicians in Child Welfare. The Social Service Technicians at DSS provide a valuable service to the Child Welfare workers by driving dependent children to therapy, medical appointments and family visits. Many of the children are placed in foster homes as far as 60 miles from San Francisco.

In 1980, Child Welfare had five technicians. In 1988, despite the increase in caseloads, there are still five 2904's.

RECOMMENDATION

8. The General Manager should increase the number of Social Service Technicians (2904) to keep pace with the growing caseloads.

D. Unit Clerk (2914)

FINDINGS

Many Child Welfare units share a Unit Clerk. This puts a tremendous burden on the Unit Supervisors, Child Welfare workers and clerical staff. There is no clear line of authority for the Unit Clerks. They report to the Office Manager as well as the Unit Supervisors. This has led to a great deal of confusion and needs to be resolved.

RECOMMENDATIONS

9. The new General Manager should provide a clerk for each unit.

10. The Child Welfare Assistant Directors should resolve the reporting lines with the Unit Supervisors and clerks.

METHOD OF INVESTIGATION

Interviews

Madeline Adrian	DSS Supervisor, retired
Sherman Anderson	Coordinator, Andrew Jackson School
John Bartolome	Group Home Supervisor, Children's Home Society of California
Judith Bley	DSS, Management Information System Coordinator
Marilyn Borovoy	DSS Commissioner
Lynn Burrell	Program Coordinator, Children's Home Society of California
Robert Cowen	DSS Assistant Director, Contracts
Thomas Flaherty	DSS Supervising Fiscal Officer
Allen Haile	DSS Commissioner
Michael Hancock	DSS Children's Services Investigator
David Hanlon	DSS Child Welfare Supervisor
Jeffrey Johnson	Regional Director, San Diego Children's Home Society
Lillian Johnson	DSS Assistant Director, Child Welfare
Anne Kearny	Asst. Coordinator, Andrew Jackson School
Barbara Kleckner	DSS, Child Welfare Supervisor
James Macauley	DSS, Audits, Fiscal Services
Abbie Malone	Program Manager, Children's Home Society
J. Davis Mannino	DSS, Child Welfare Supervisor
William S. Manich	DSS, Child Welfare Worker
Esther Marks	Coleman Advocates for Children & Youth
Jack Morrison	DSS Commissioner
Amelia Munez-Wells	Acting Regional Director, Children's Home Society of California
Stanley Muselman	DSS, Supervisor, Warrant Investigation
Rosemary O'Hearn	DSS, Supervisor, Child Welfare
Stuart Oppenheim	DSS, Assistant Director, Child Welfare
Rose Lou Randolph	DSS, Acting General Manager
Judy Schutzman	DSS, Director, Administrative Service
Bill Spivey	DSS, Social Worker
James T. Spradley, Jr.	President & CEO, Children's Home Society of California
Eurtha Trammell	DSS, Assistant Director, Child Welfare
Stan Weisner	Associate Director, Coleman Advocates
Clyde Williams	DSS, Supervisor, Child Welfare
John Vera	DSS, Assistant General Manager

Numerous other DSS employees including Social Workers, Child Welfare Workers and Child Welfare Supervisors

METHOD OF INVESTIGATION (Continued)

Correspondents

Dianne Feinstein	former Mayor of San Francisco
Noel Hartline	DSS, Senior Management Assistant, Administrative Services
Ralph Mistler	DSS, Management Assistant, Administrative Services
Louise Rainey	Secretary, Social Services Commission
Michele Rutherford	DSS, Administrative Assistant of Operations
Raymond Sullivan	DSS, Director of Fiscal Operations
George Sycip	DSS Commissioner

Sources

"New Allegations of Drug Abuse," SF Chronicle 8/29/86
"To Protect a Child," SF Chronicle 10/25/87, 10/26/87
"Drug Abuse, Homelessness Blamed - More Kids in SF Emergency Shelter," SF Chronicle 3/11/88
Standards for Social Work Practice in Child Protection, National Association of Social Workers,
"New Beginnings," A Report on the Fost/Opt Program of the SF DSS, Marjorie Beggs, 1985
"Out-of-Home Placement in San Francico: Population, Process, Problems," Mayor's Advisory Council on Children, Youth and Family Laura Grandin, Ph.D., Chairperson
"Deaths of Children in Foster Care and Emergency Shelter Care," Mayor's Task Force on Foster Care, Judge Francis W. Mayer Chairman, August 1986
"Every Three Hours," Supervisorial Staff, DSS Family and Children's Division
"Drug-Exposed Babies in the San Francisco Bay Area," Marjorie Beggs, San Francisco Study Center, 1987
"An Overview of San Francisco's Service Delivery Systems for Abused, Neglected and Sexually Exploited Children," Inter-Agency Committee on Abuse and Neglect, Mayor's Advisory Council on Children, Youth & Families, 1986, 1987
Study of San Francisco Child Welfare Services Delivery System, Child Welfare League of America, Inc, Washington, DC, 1987
"Children and Youth Comprehensive Information System (CYCIS) Technical Study," Services Steering Committee, Sept. 1987
"Death Review Workshop," Report sponsored by SFDSS, Oct. 1987

"Management Audit of the Department of Social Service Agreement with Children's Home Society of California - Emergency Shelter Program," Harvey M. Rose, Budget Analyst for the SF Board of Supervisors, 1987
"Child Abuse Reporting Laws, Juvenile Court Dependency Statutes and Child Welfare Services," Senate Select Committee on Children and Youth, Senator Robert Presley, CHR, SB 1195 Task Force, January 1988
"Twelve Point Policy & Plan for SF's Homeless," Joint Statement of Nancy Walker, Pres. of SF Bd of Supervisors and Dianne Feinstein, Mayor of CCSF, December 1987
Senate Bill 243, Chapter 1485
Monthly minutes of Social Service Commission meetings
DSS Program Briefing Book
Children's Emergency Services Intake Statistics
Coleman Advocates for Children & Youth Memorandum
Quarterly Management-by-Goals-and-Objectives, as provided by DSS
Andrew Jackson School Emergency Shelter Care Fact Sheets and Information

COMMITTEE

Denise B. Wall, Chair
Gertrude H. Johnson
Frank H. Nagai
Mildren Rauls
Margery B. Sicotte
Sharolyn W. Winther

SHORT SUBJECTS

I. MAYOR'S CITIZEN ASSISTANCE CENTER

BACKGROUND

The Mayor's Citizen Assistance Center (MCAC) is the arm of the Mayor's Office which offers assistance or information regarding city services and answers citizens' complaints. The Center was founded by Mayor Moscone 10 years ago. Funding comes from the budget for the Mayor's Office.

FINDINGS

The Mayor's Citizen Assistance Center consists of a director, five full time and one part time staff and three volunteers. One staff person is a civil servant; the others are appointed by the Mayor. The current objective is to provide a first-class constituent center. This work is tallied in weekly reports to the Mayor.

The office is currently compiling an updated reference resource manual but intends to rely less on reference/referral and more on direct personal service.

The office is located on the first floor of City Hall where it can be easily found by the public. However, making contact by telephone is more difficult. It is necessary that the caller know that the listing is under the heading of the Mayor's Office to look it up in the phone book or to get directory assistance.

It was not possible to find out the cost of running the office, or assess the value of services in relation to that cost because funding is part of the Mayor's budget and is not known to the MCAC staff.

RECOMMENDATIONS

1. The Mayor's Citizen Assistance Center should make a diligent effort to upgrade and update the reference/resource manual so that in times of budget and personnel cutbacks the office can continue to provide effective service.

2. The Mayor's Citizen Assistance Center should list its phone number in bold face under "Citizens Assistance" in the City pages of the phone book.

3. The Budget Director and the Mayor should prepare the budget for the Mayor's Office in such a way that a distinct figure can be rendered for the Citizen Assistance Center.

METHOD OF INVESTIGATION

Interviews

Jim Adams	Assistant Director, 1987
Gil Brigham	Director of MCAC, 1978 - 1987
Anita Sanchez	Director, 1988 -

COMMITTEE

Jeanie M. Barry
Caryl C. Mezey

II. THE JAILS

A. The County Jail System

BACKGROUND

By sentencing a convicted criminal to jail the general objectives of the judiciary are to isolate and punish the offender and by example deter the offender and others from future criminality[1]

San Francisco judges cannot achieve those objectives to the fullest because the adult county jail system is overtaxed; it has fallen victim to fiscal neglect and a lack of long-term planning.

San Francisco's adult detention system consists of three main jails, a work furlough facility and a ward at San Francisco General Hospital reserved for acutely ill patients. The entire system has a daily rated capacity of 1486 inmates.

For the last several years the system has been chronically overcrowded. In 1987, the average daily population of the jails was 1601 inmates, 108% of the designed capacity.[2] At present, because of judicial fiat and the terms of a consent decree approved in the United States District Court,[3] County Jail #1, at the Hall of Justice, has a court-imposed limit on its inmate population. Additionally, the jail must meet certain requirements with respect to prisoner health care, recreation and other conditions of confinement.

The Federal Court appointed a Special Master to oversee the implementation of the consent decree. In his reports to the Court the Master recommended that the County be held in contempt for failing to meet specific goals outlined in the decree. The Court did not sanction the County because there were signs that

1 Rule 410, Sentencing Rules for the Superior Courts, State of California

2 National Council of Crime and Delinquency, San Francisco Jail Needs Assessment (Draft Report), San Francisco, 1988, p. 3.

3 Will Stone, et al. vs. the City and County of San Francisco et al, C-78-2774 WHO.

San Francisco was beginning to deal with the jail overcrowding problem. The Court particularly distinguished Sheriff Michael Hennessy and the City Attorney's Office for demonstrating a marked increase in cooperation to resolve the jail problem.[4]

Much of the cooperation has been very late in coming. Some of the County's criminal justice agencies have acted as if they did not understand that their actions or omissions were part of the mosaic of jail overcrowding. Simply, they seemed to view the overcrowding issue as solely the Sheriff's problem and not a system-wide resonsibility.[5]

Sheriff Hennessy, the chief jail custodian, has attempted to maintain the inmate population at court-ordered limits by reducing the population of federal prisoners and by making greater use of citation release of untried and unsentenced misdemeanor prisoners. Additionally, the Sheriff instituted an early release program for certain prisoners. He restricted the work furlough program to prisoners who were in custody. This fiscal year San Francisco took a major step in resolving the jail overcrowding problem; it began constructin of a 300-bed addition to the long-established jail at San Bruno. The addition is expected to be ready for occupancy by the end of 1988.

A major opportunity to augment the County's adult jail system lies ahead: the acquisition of State funds from the County Correctional Facility Capital Expenditure Bond Act of 1986 (Proposition 52). The funds are available to counties to pay for the construction, reconstruction, remodeling and replacement of county jails and juvenile facilities and for deferred maintenance.

San Francisco has already submitted a funding request for an allocation of $22,472,766 from the bond fund. Additionally, it established a Jail Policy and Planning Advisory Committee.

In order to qualify for Proposition 52 funding, the Committee commissioned a detailed study of the County's adult detention needs for the next twenty years. The study has been completed. Ultimately the Board of Supervisors must prepare, adopt and submit to the State a master plan for county detention facilities as a pre-requisite to the receipt of State funds.

4 "Judge Orrick Allows Release of More Inmates," The Recorder, January 18, 1988, p. 2.

5 Addendum to Special Master's Sixth Progress Report to the U.S. District Court re: Stone vs. the CCSF, p. 21.

FINDINGS

In monitoring the County's compliance with the mandates of the consent decree, the Grand Jury noted no sense of alacrity on the County's part, except when a crisis was in the offing. The Jury foresees that if the County does not provide adequate facilities within the next few years, the Court will probably impose extraordinary sanctions on the County which will have a direct impact on its fiscal condition, its criminal justice system and its public.

The Grand Jury is concerned that the county agencies charged with the acquisition of Proposition 52 funds may not be acting expeditiously and thereby endanger San Francisco's receipt of the badly-needed funds.

The langauge of Proposition 52 is explicit: "It is the intent of the people enacting this bond act that jail authorization and construction proceed as quickly as possible."[6] Yet, according to the crude project timetable provided by the Sheriff's Office, the County is at least three months behind schedule in completing the research and the master plan required to qualify for the funds. Also, the County has not produced a detailed project plan identifying and listing all the required tasks, interdepartmental dependencies and milestones involved in bringing the project to timely fruition, as it should for a project of this magnitude and import.

RECOMMENDATION

1. The Board of Supervisors, the Sheriff's Office, the Jail Policy and Planning Advisory Committee and all other County agencies who have a role in the acquistion of Proposition 52 funding must immediately collaborate on, jointly-produce and adhere to a detailed project plan. The plan should identify and list all the tasks, interdepartmental dependencies and milestone involved in timely acquisition and judicious expenditure of the State funds available for the County's detention system.

6 Title 4.7, County Correctional Facility Capital Expenditure Bond Act of 1986, Section 4494(a), State of Califfornia.

B. The Jail Policy and Planning Advisory Committee

BACKGROUND

In order to qualify for Proposition 52 funds the San Francico Board of Supervisors was required to establish the Jail Policy and Planning Advisory Committee. The Committee, composed of representatives from the local criminal justice system and the public, was mandated to consider and report on the needs and problems of the County's criminal justice system.[7]

One of the Committee's first major actions was the commissioning of the National Council of Crime and Deliquency (NCCD) to provide a detailed assessment of San Francisco's adult detention system. The assessment has been completed and the Committee has been provided with a draft report of the NCCD's findings and recommendations.

After sufficient and fruitful deliberation, the Committee must submit its recommendations to the Board of Supervisors for review so that the Board may submit to the State a master plan for San Francisco's detention facilities.

FINDINGS

The Grand Jury does not view the work of the Jail Policy and Planning Advisory Committee as a low-level bureaucratic exercise; rather it considers the activities of the Committee to be most crtitical to the County's criminal justice system. How the mandate of the committee is executed and what it ultimately recommends to the Board of Supervisors will directly impact on the effectiveness of the County's detention processes for the next quarter century.

RECOMMENDATION

2. As an extension of the Civil Grand Jury's mandate that it investigate the condition and management of the County's jails, it is recommended that the 1988-89 Civil Grand Jury monitor and report on the activities and conclusions of the Jail Policy and Planning Advisory Committee.

7 Resolution 163-87, file 214-87, San Francisco Board of Supervisors, approved March 13, 1987, San Francisco, CA.

C. Reclassification of Certain Jail Positions

BACKGROUND

The County of Santa Clara is in the same predicament as San Francisco: its jails are overcrowded. To relieve the overcrowding one court threatened to jail the entire board of supervisors for refusing to increase jail space. Another court ordered early release of a number of prisoners who had not served their sentences. Subsequently the Santa Clara County supervisors instituted a new county department of corrections staffed in the main by custodial officers rather than deputy sheriffs. The new department of corrections was endorsed by the county electorate on June 7, 1988.

The San Francisco Sheriff's Department employs deputy sheriffs who have full peace officer powers in its jails, Civil Division and Court Services Division.

During its visit to the County's jails the Grand Jury viewed the activities performed by the deputy sheriffs assigned to jail duties. In general the duties are: booking, searching, fingerprinting and photographing prisoners; safeguarding prisoner property; supervising prisoner visits; supervising jail facilities and prisoners to ensure security, order, comfort, welfare and cleanliness; and transporting prisoners. All of those listed duties can be performed by non-sworn, custodial officers, as described and authorized in the California Penal Code.[8]

There is some concern that it would be difficult to hire good career custodial officers and that, once employed, custodial officers would exhibit low self-esteem and have a high rate of job turn-over. It is also felt that a large number of non-sworn custodial positions within the Sheriff's Deaprtment would reduce the number of deputies that could augment the Police Department in time of emergency. The number of positions to which sworn deputies could be assigned might also be reduced.

The Grand Jury sought and received personnel information from California's largest employer of custodial officers, the California Department of Corrections. From that source there was no evidence that there is a dearth of good career correctional

[8] Section 831, California Penal Code, Stae of California.

officers, that they would be difficult to recruit or that correctional officers exhibit low self-esteem. Their job turn-over rate of 6.8% is lower than the 9.9% rate of all California State employees.

In Santa Clara and Santa Barbara the recruiting and retention of correctional officers is harder than the recruiting and retention of deputy sheriffs. However, Ventura County, which designates their correctional officers as "service technicians," and Los Angeles County, which calls them "custody assistants," claim no difference between recruiting and retention of custodial officers and deputy sheriffs.

Reducing the complement of sworn deputies would reduce the number of peace officers which could assist the Police Department in times of emergency. However, those times are very few; during emergencies, the Police Department could be augmented by police from surrounding counties in accordance with mutual aid agreements which have been in force for many years. During field emergencies, custodial officers could be used to augment police officers as field booking teams as has been done in Santa Barbara County.

For every deputy sheriff's position which would be reclassified to a custodial officer position there would be one less position to which a deputy sheriff could be assigned. However, there should be no appreciable impact on either the morale or the efficiency of the Sheriff's workforce because of the restriction.

The replacement of deputy sheriffs assigned to jail duties by custodial officers would be economical for the County. Generally custodial officers are paid 15-20% less than deputy sheriffs and may be placed in a less costly retirement system. If the 219 deputy sheriff positions assigned to jail duties[9] were reclassified to custodial positions and paid a lesser salary than that of a deputy sheriff, the long-term savings would be considerable. The resulting reduction of fringe benefits and retirement costs would also add to the salary savings.

9 This figure does not include the proposed 25 additonal deputy positions needed to staff the new 300-bed addition at the San Bruno jail when it is completed in late 1988.

FINDINGS

The Grand Jury believes that the custodial positions within the Jail Division of the Sheriff's Department could be staffed with custodial officers. With one exception, custodial officers could perform general jail duties efficiently under the direction of peace officers as required by the Penal Code.

The exception is the transportation of prisoners, a duty which is usually performed by armed officers. At present custodial officers can only be armed in counties with a population of 425,000 or less. That section of the Penal Code could be amended to allow counties with a population as large as San Francisco to arm their custodial officers. Such an amendment easily passed last year when Santa Barbara County had the limit raised.[10]

If the Jail positions were reclassified to custodial officer positions, the deputies presently in jail positions would not lose their civil service rights nor would their salaries be reduced. Correctional officers would replace deputies whenever a vacancy occurred in a custodial position. The long-term savings to the County would be considerable.

By proposing a job audit, the Grand Jury does not wish to bring about a new department of corrections as was done in Santa Clara County. It also does not wish to reduce the overall complement of the Sheriff's Department or lower the morale of its members. The Jury intends the audit to be an honest and objective job assessment of the custodial duties performed by the deputies assigned to the County's jails.

RECOMMENDATION

3. Civil Service should conduct an on-site job audit of the custodial positions presently staffed by deputy sheriffs to determine whether the positions should be reclassified to custodial officers whose salaries would be set at a lower benchmark.

[10] Assembly Bill 2355, which amended Penal Code Section 831.5, signed into law on July 23, 1987.

METHOD OF INVESTIGATION

Interviews

William Barrett	Deputy City Attorney
Lt. William Edwards	Ventura County Sheriff's Office
Edgar Flowers	Assistant Sheriff, County of SF
Sandy Goodwin	Procurement & Recruiting Manager Santa Clara Personnel Office
Myrna Gull	Department of Corrections, Personnel Dept., State of California
Michael Hennessy	Sheriff, County of San Francisco
Lt. Michael LaVigne	Sheriff's Office, County of SF
Lt. John Robinson	Sheriff's Office, County of SF
Geoff Rothman	Administrator, Technical Services CCSF Civil Service Department
James H. Vizzolini	Undersheriff, Santa Barbara County
Lt. Larry Waldie	Planning/Research, Los Angeles County Sheriff's Office

COMMITTEE

Clement D. DeAmicis, Chair
Jules M. Heumann
John B. Shea

III. PUBLIC ADMINISTRATOR

BACKGROUND

The Public Administrator (PA) is an an officer of the City and County of San Francisco. The office, which is under the jurisdiction of the Chief Administrative Officer, protects the property of those who die intestate or without someone who is able or willing to act on behalf of the deceased. The office locates assets, pays off creditors, finds heirs and settles the estate, which may be of any size.

The Public Administrator is also, by local ordinance, the Public Guardian (PG). This office was set up to protect people who are subject to being defrauded by "designing adults" and those who cannot otherwise manage by themselves. Since the State law provides that the court may appoint private individuals and attorneys to act as guardians (for those under 18) or conservators (for those 18 and over), the cases handled by this office are generally those with no alternate support system. Referrals are made by hospitals, mental health and other community agencies.

The Public Guardian has two new programs in operation. FRAIL (financial resources aiding independent living) helps those who need assistance in managing their funds but not full conservatorship. Liaison Advocacy links conservatorship with physical or mental health treatment programs. In addition, Conservatorship in Transition (CIT) aids persons who are moving by stages into full conservatorship.

Thirty persons are employed in the office of the Public Administrator/Public Guardian. Seven are accountants, four are lawyers. Fourteen work in the Public Administration function, fifteen for the Public Guardian. All, including the Public Administrator/Public Guardian, are civil service positions.

By State law, as of September 1987, the Public Administrator/ Public Guardian also became the Public Conservator. In that function, the office was to represent the interests of those mentally handicapped residents of San Francisco who are confined to mental hospitals. Many of these facilities are located at some distance from the City. The office was to investigate and give information to the judge in order to make sure patients were in the least restrictive setting. Sixteen and a half new positions were needed for this function.

In May 1988, the Board of Supervisors decided to move the conservatorship function to the Department of Public Health. The Public Administrator (designate Public Conservator) called this assignment "intolerable" because the Public Health Department already treats some of the mentally ill patients whose independent interests are to be guarded by the Conservator.

FINDINGS

The Office of the Public Administrator handles 200-250 estates per year, most of which are turned out by year's end. It is essentially a financially self-supporting system within city government. It subsists on the statutory fees that are allowed by the Probate Court for the administration of estates. Any income produced that is more than the budget for the Office reverts to the General Fund. The Public Guardian, however, needs to supplement its allotted fees with monies from the General Fund.

The Public Administrator recently spearheaded State legislation that allows the first $10,000 left in banks in San Francisco to escheat to the City instead of it all going to the State (after seven years). This will provide about $60,000 in new revenue for the City.

The Public Administrator has about $8,000,000 under administration daily. Most estates are under $50,000, but one current one is many millions of dollars. The Office may sell securities or real estate in order to satisfy creditors. The Public Guardian has a daily balance of around $6,000,000. Funds are not co-mingled.

When the Office was established, all records were kept by hand and money was banked in thirteen different banks. Staff workers would board the MUNI with passbooks in hand to deposit or withdraw needed funds. The PA then wrote to 10-12 major banks to see what services they could offer in exchange for the deposit of such a large sum. A contract was awarded to The Bank of Industry, San Francisco branch, which, in return for the final float on the funds to be distributed, leased hardware and software from Computer Decisions in order to set up a computer system for the Public Administrator's Office and keep it maintained. The PA estimates that this has been worth $250,000 over

the last five years. The terms of the contract allow for a 90 day cancellation of this arrangement with the Bank, at which time the hardware and software would revert to Computer Decisions. Theoretically they could then be leased by another bank or the City itself.

Money is put into agency accounts and then broken into individual accounts that are insured up to $100,000 by the FDIC. Bonds insure accounts with funds over that amount. The Administrator likens it to the administration of union trust funds. The computer program for the Office is different from the bank's program but the two are reconciled from the bottom line common to each at the end of the day. The bank does not have access to the Office's records, nor does the Office have access to those of the Bank.

An audit was conducted by the Internal Audit Division of the Office of the Controller in 1987 at the request of the new Chief Administrative Officer. The audit focused on the record-keeping of the Public Guardian's Office and came up with a few procedural recommendations. No comment was made on the banking relationship of the Office as a whole, but in an inteview with the CAO, he expressed satisfaction with the arrangement.

One complaint about the workings of the Public Administrator's Office has been registered by the Public Defender's Office, specific to a case in which the PD is representing a defendant charged with homicide robbery, a capital offense. The Public Administrator was criticized for not reporting to the PD's Office that money was removed from the room by the PA. This information materially affects the robbery charges (and therefore the capital nature of the case) brought against the defendant. A motion of sanction was brought against the Public Administrator by the Public Defender. The Grand Jury at this time does not know the outcome.

Other than this criticism, the committee was given the impression that the PA's Office is respected for its work and that it has improved significantly in the years since it came into being.

Conservatorship is granted by the courts after investigating petitions that are presented to it by relatives, attorneys, private conservators or the Public Guardian's Office. The Public Guardian's Office handles about 100 cases a year. They are referred from other City departments, community agencies and the courts.

One agency representative that was interviewed feels the office does such a good job that she wishes she could refer more cases to the Office. She only refers those in greatest need. She said payments were not only paid on time but that all checks for one person for the month were efficiently grouped in one envelope, simplifying the agency's bookkeeping. A private conservator interviewed also stated that she wished the Office could handle more cases because they did a good job and there was such need for their services.

The variety of services offered by the Office to suit the varying needs of the clients is impressive. From being able to be a Rep-payee for social security checks all the way to being a full conservator of person and property helps ensure that restrictions on a client will be held to a minimum. Conferring the responsibility to monitor confined mental patients to a City officer is a dramatic move on the part of the State. San Francisco has 800 such patients, most held out of the City. This has previously been handled by the State. Short-Doyle money will supposedly be used to reimburse counties for this service but setting up an office and a set of procedures to accomplish the task is formidable. Since this function has now been passed to the Public Health Department follow-up must take place in another arena.

RECOMMENDATIONS

1. The Public Guardian should complete procedures to handle the recording of money and other assets in accordance with the Internal Auditor's report.

2. The Public Administrator should prepare a report to the CAO which asseses the amount of float per year that has accrued to The Bank of Industry, together with an evaluation of the worth of the computer system and services received from the Bank. A conclusion should be made as to whether this arrangement locks the Office into a perpetual tie with the Bank.

3. The 1988-89 Grand Jury should undertake an investigation of the public conservatorship function in order to establish a baseline for future oversight.

SHORT SUBJECTS (Continued)

METHOD OF INVESTIGATION

Interviews

Debra Dolch	Private Conservator
Jean Marlborough	Residents Director, Jewish Home for the Aged
Michelle K. McCabe	Assistant PA/PG
James R. Scannell	Public Administrator and Public Guardian

Visits

Courtroom of Commissioner Reedy to observe process of awarding conservatorships.

COMMITTEE

Caryl C. Mezey
Ronald R. Pruitt

IV. PUBLIC HOUSING SECURITY

BACKGROUND

The San Francisco Housing Authority (SFHA) is a state agency funded 50% by the federal government (HUD) and 50% by rents. The agency operates under a City Board of Commissioners (seven appointed by the Mayor) who in turn appoint the Executive Director.

Since 1937, the SFHA has been charged with serving low and moderate income residents by providing them with "decent, safe and sanitary" housing, as mandated by State housing laws #34201 and #34213. The Authority has used the federal modernization program to improve security in many of the family developments (4,853 units) and 22 senior/handicapped developments (2,026 units). However, in 1983 HUD withdrew funds for this purpose. In 1985-86 only 0.4% of the total budget was allocated to protective services. Therefore, it truly has been a challenge to the Authority to provide safe and decent housing to those who need it.

Responding to press coverage of inadequate protection in public housing, the Grand Jury decided to investigate. The primary focus was the personal security of public housing tenants.

FINDINGS

Providing decent, safe, sanitary and secure housing for people of low income families, seniors and handicapped over 18 years of age is a herculean task that poses many problems. Some of them are:

1. the physical makeup of the housing units,
2. the ability of the police to provide adequate protection,
3. the tenants' organization,
4. the vacancy rate and rental time lapse, and
5. the drug trade and related crimes.

Investigation of these problems revealed the following:

The SFHA currently is renovating and rebuilding many of their units. Their aim is to build secure three story units, to demolish the highrise buildings, to reduce the number of entrances in order to protect the tenants from transients and to

provide safe outdoor recreation areas. Card-entry systems are being installed in the senior housing units to help stem crime as well as to cut down on the expense of lost keys.

The San Francisco Police Department now patrols public housing by foot and by car drive-by. However, the tenants fear retribution from offenders should they call 911 or the police. There are no on-site guards in the family units. The Executive Director maintains that there is no more crime in public housing than in the rest of the city. He says that the SFHA is in the business of housing, not of security.

The SFHA attempts to encourage the tenants to form associations to address their problems. HUD permits $3.00 a year per unit for public housing tenant organization. The tenant associations appear to be ineffectual because they lack structure and continuity of involvement by tenants. The Housing Authority does not provide these organizations with a budget but will pay for incurred expenses.

The SFHA attempts to fill the vacant units as quickly as possible to avoid the expense posed by vandals trashing units. Any vacancy creates the opportunity for establishing a base for drug trade.

Drug related crimes are a problem in the SF housing units. Tenants feel threatened and intimidated by the dealers who are often not residents. The accessibility of the buildings makes for an attractive haven for criminal activities.

RECOMMENDATIONS

1. The SFHA should make every effort possible to remodel or replace antiquated, unsafe highrise buildings with three story secure units.

2. The Police Department should place more emphasis in training its officers on meeting the security needs of Housing Authority tenants.

3. The Authority should assist the tenants in forming and operating associations and encourage cooperative means for working together.

4. The Authority should rent the units immediately upon notice of vacating by a tenant.

5. The drug problem should be the number one priority of the SFHA. Every effort should be made to diminish crime and quell the sale and distribution of drugs. Tenants possessing drugs should be removed immediately from their unit and prosecuted. Buildings should be dealer-proofed, i.e., no accessible grill coverings on windows, no accessible fuse boxes for drug storage, no balconies with unlocked doors and no unlit and unprotected entry and passageways.

METHOD OF INVESTIGATION

Interviews

Gwen Battle	Executive Director, San Francico SAFE
James Clay	Executive Director, San Francisco Housing Authority
Lieut. Troy Dangerfield	SFPD on loan to Community Services
James G. Fussell, Jr.	President, Board of Commissioners SFHA
Lieut. John Richardson	SFPD Field Operations

San Francisco Housing Authority staff

Meetings

SFHA Board of Commissioners

COMMITTEE

Jeanie M. Barry
Ronald R. Pruitt

REVIEW OF RESPONSES TO 1986-87 CIVIL GRAND JURY RECOMMENDATIONS

BACKGROUND

The Review Committee monitered the action taken by city departments on the recommendations of the 1986-87 Civil Grand Jury. The areas addressed were:

I. The Port of San Francisco

II. The Department of Recreation and Parks

III. The Retirement System

IV. The Sheriff's Department

V. The Unified School District

VI. The Youth Guidance Center

A complete discussion of the findings leading to these recommendations may be found in the 1986-87 Civil Grand Jury Report.

I. THE PORT OF SAN FRANCISCO

The Port of San Francisco

Recommendation #1: The Board of Supervisors should immediately approve the Real Estate Manager position proposed by the Port. Further, the Board should insist that the person hired for this job have extensive experience in real estate management.

Response: A manager has been selected.

Recommendation #2: Port parking leases should be put out to competitive bid.

Response: The Port Commission directed that all Port parking leases be put to competitive bids.

REVIEW OF RESPONSES (Continued)

Recommendation #3: The Mayor and the Board of Supervisors should instruct Port management to work with the City Planning Department and prepare a strategic plan for its commercial property. This plan should coordinate the Port's future activities and direction with the City's master plan.

Response: The Acting Director advocates a strategic plan and a regional plan to be studied at a strategic planning seminar.

Recommendation #4. The Mayor and the Board of Supervisors should support the Port's efforts to revise the McAteer-Petris Act so that onerous and impractible land use restrictions are lifted. To this end, the Mayor and the Board should instruct the Port management to prepare a written action plan detailing the activities, timing, and people involved in getting this act revised.

Response: Revision of the McAteer-Petris Act is at a standstill.

Fisherman's Wharf

Recommendation #1: The Port should make a concerted effort to help the Fisherman's Wharf merchants build their businesses. The first step in this direction would be for the Port to join the Fisherman's Wharf Merchants Association and take a proactive role in the Association's promotional activities, including financial support.

Response: The Port joined the Fisherman's Wharf Merchants Association.

Recommendation #2: The Mayor and the Board of Supervisors should require the Port management gives adequate support to the needs of the commercial fishing industry.

Response: Port management has repaired the breakwater, installed new ladders and improved the lighting and electrical service. The Port has met with the fishermen and a committee has set up monthly meetings.

REVIEW OF RESPONSES (Continued)

Management Information Systems

Recommendation #3: Given the Port accounting staff's relative lack of experience in accounting systems conversion, the Port should retain the services of an experienced consultant...

Response: An experienced consultant was hired to assist in the accounting system conversion.

Expansion of Container Facilities at Pier 80

Recommendation #1: The Port should not proceed with its $20 million expansion plan for container handling facilities on Pier 80 unless business is sufficient to justify it. This money should be used in areas that will be of greater benefit to San Francisco, such as refurbishing the cruise ship terminals.

Response: The $13 million left in the expansion plan fund is frozen.

Recommendation #2: The Port should not initiate rate wars with the Port of Oakland...

Response: The San Francisco Port is seeking to coordinate maritime operations with the Port of Oakland.

Recommendation #3: The Port should reappraise the feasibility of utilizing "double-stacked" trains to give it a competitive cost advantage...

Response: The Port and the railroads are still in negotiation.

Management and the Future

Recommendation #1: The Mayor and the Board of Supervisors should insure that the Port prepares a long-term strategic plan and should set a deadline for that plan...

Response: The Port is in the process of developing a long-term strategic plan.

Recommendation #2: The Board of Supervisors should immediately approve the Port Planning Director position proposed by Port management...

Response: The Port Planning Director position has been approved.

Recommendation #3: The Port should request the Board of Supervisors to authorize the hiring of a management information systems specialist.

Response: A management information systems specialist, with 25 years' experience, has been hired.

II. DEPARTMENT OF RECREATION AND PARKS

Candlestick Parking

Recommendation #2: The 40 Rec & Park passes should be eliminated. Any Rec & Park employee parking at Candlestick on official business should be reimbursed for his or her expenses on a trip by trip basis.

Response: It is the opinion of the Department that the 40 passes should not be eliminated.

REVIEW OF RESPONSES (Continued)

Recommendation #6: The 1987-88 Civil Grand Jury should investigate why the City Controller believes that the $33,300 Candlestick Parking owes the City for undercharged campers will be written off.

Response: The $33,300 debt was erroneously calculated.

Union Square Garage

Recommendation #1, 2, & 3: All regard inspections of property and equipment.

Response: The Department agrees with the recommendations and will comply.

Recommendation #4: Rec & Park should cancel the six free parking passes it holds for Union Square Garage. Any employees who park there on official business should be reimbursed for their expenses on a trip by trip basis.

Response: The Department does not agree to eliminate the passes.

Recommendation #5: The Board of Supervisors should initiate an amendment to the City Charter that would allow the City's Parking Authority to manage all parking facilities currently operated by Rec & Park...

Response: The Department has initiated a good lease management program and needs the revenue generated from the leases.

Lease Management

Recommendation #2: The City Controller's Office should specify for all lessees the type of cash register and bookkeeping system necessary for each facility...

Response: The recommended change in bookkeeping has been initiated.

Golf Course Management

Recommendation #1: Golf course starters should require any player requesting a discount on greens fees to show a current picture identification card...

Response: The starters are checking requests for discounts.

III. RETIREMENT SYSTEM

Recommendation #1: The Finance Committee of the Board of Supervisors should determine the most appropriate structure for administration of the Workers' Compensation Program...

Response: As of March 21, 1988, the Finance Committee had not addressed the administration of the Workers' Compensation Program.

Recommendation #2: The Finance Committee of the Board of Supervisors should study the manner in which it can effect cost savings in the Workers' Compensation Program...

Response: The Finance Committee has not studied cost savings for the Workers' Compensation Program. A labor-management committee has been formed to study costs and reductions.

Recommendation #3: The Retirement System Board should insist upon an actuarial report that determines the financial effect of the changes in the actuarial valuation program.

Response: The Retirement System Board says it is not possible to comply with the recommendation for an actuarial report.

Recommendation #5: The Retirement System Board should obtain a gain and loss analysis which demonstrates the effect of each gain or loss on the System's unfunded liabilities.

Response: The Retirement System has used a gain and loss analysis for some time.

IV. SHERIFF'S DEPARTMENT

Security

Recommendation #3: The Department of Electricity should immediately install the video surveillance system at the San Bruno facility...

Response: A video surveillance system has been installed at the San Bruno facility.

Recommendation #4: The Sheriff should eliminate the blind spots in the video surveillance system at the San Francisco General Hospital facility.

Response: The blind spots in the video surveillance system at SF General have not been eliminated as this is considered low priority.

Recommendation #5: The Sheriff should install sensors on all doors at SF General Hospital...

Response: Door sensors at SF General have not been installed as this is considered low priority.

Recommendation #7: The Sheriff should ensure that the fence surrounding the prison yard at San Bruno should be replaced...

Response: The San Bruno prison yard fence has been funded.

Facilities and Operations

Recommendation #1: The Sheriff should requisition an additional prisoner transport vehicle.

Response: An additional prisoner transport vehicle has been ordered.

Recommendation #2: The Sheriff and the Police Department should work together to insure fingerprints are taken from all prisoners at the San Francisco General Hospital facility...

Response: Fingerprints are now being taken from all prisoners at SF General Hospital.

Recommendation #3: The Mayor and the Board of Supervisors should ensure that prisoner capacity at San Bruno is increased by 300...

Response: A new 300 capacity facility at San Bruno is under construction; projected completion is November 1988.

Recommendation #4 & 5: The Sheriff should increase the number of padded cells and individual protective custody cells at San Bruno...

Response: No new padded cells or protective custody cells have been added at San Bruno.

Prisoner Welfare

Recommendation #1: The Sheriff, the Fire Marshall and the Department of Public Works should find and implement a solution to the smoke evacuation and fire emergency problems at the San Francisco General Hospital.

Response: The Fire Department is satisfied with the fire safety conditions at SF General Hospital.

V. UNIFIED SCHOOL DISTRICT

Administrator Selection Process

Recommendation #1: The Board of Education should lend its full support to Superintendent Cortines' program to ensure that all administrators have proper credentials...

Response: All administrators are now properly credentialled.

Administrator Evaluation Process:

Recommendation #1: The Superintendent and the United Administrators...should develop a new evaluation process that provides for a comprehensive performance review that is standard for all administrators.

Response: It is the intent of the SFUSD to comply with the recommendation in its new contract of July 1, 1989.

Recommendation #2: The Superintendent and the Board of Education should ensure that the formal evaluation process is followed without exception.

Response: This is being implemented.

Recommendation #3: The Superintendent and the Board of Education should ensure that administrators are evaluated by more than one person. In addition, pre-evaluation and evaluation conferences should be held on separate occasions.

Response: The present procedure is in compliance with the recommendation.

Small Necessary High Schools

Recommendation #2: The Personnel Department should notify the Superintendent if a school site has an above-average number of teachers requesting transfers.

Response: This has been addressed.

Recommendation #3: The Board of Education should adopt a policy that every school be staffed with a greater number of tenured teachers and rely less on long-term substitutes and probationary teachers.

Response: Long-term substitutes possess the same credentials as tenured teachers and are hired only when a tenured teacher is on approved leave.

Recommendation #4 & 5: The Director of Fiscal Services should monitor the distribution of CAP funds...and ensure that an audit is taken on the use of CAP funds.

Response: CAP funds are no longer available.

Recommendation #6: The Superintendent should provide an opportunity for administrators and staff of all Small and Necessry High Schools to meet so that excellent programs are shared among the staffs.

Response: This recommendation has been implemented.

Total Immersion Program - Buena Vista Program

Recommendation #1: The Superintendent of Schools should ensure that a formal evaluation process be insituted...

Response: Evaluation processes are being instituted.

REVIEW OF RESPONSES

Total Immersion Program - West Portal

Recommendation #1: The Personnel Department of the SFUSD should employ certificated teachers who are fluent in English as well as Cantonese.

Response: The Superintendent guarantees the Grand Jury that the teachers in question are certified.

Recommendation #2: The Principal at West Portal should transfer students who are experiencing difficulties and for whom continuation in the program could jeopardize their academic future.

Recommendation #3: The Superintendent...should see that students are tested and the results are used to monitor the program...

Response: The SFUSD is complying with both of these recommendations.

VI. YOUTH GUIDANCE CENTER

Facility Maintenance

Recommendation #1: The Mayor should insist that work begin immediately to provide earthquake reinforcement, a fire sprinkler system, an emergency generator, and asbestos removal for the Youth Guidance Center.

Response: The Mayor has acted upon this recommendation.

Recommendation #2: The Mayor should see that...(various) repairs are performed at the YGC.

Response: The cellblock roofs have been partially repaired; the upper courtyard has been repaved; all buildings and rooms have been painted; cellblock heating and ventilation systems have been repaired; sunscreens on south side walls have not been installed; kitchen ovens have been replaced; dry rot has been removed; failing valves, plumbing and electrical fittings are being repaired.

REVIEW OF RESPONSES (Continued)

Recommendation #3: The Mayor should see that...(various) deficiencies noted at the Log Cabin Ranch are corrected.

Response: Dining room chairs have been provided; the pond has been cleaned out; the holes in the playing field have not been filled; the running track has not been restored; the swimming pool was covered in the winter; the emergency generator is not in operation; the night staff has been increased by two; and junior counselors have been fairly compensated.

Recommendation #4: The City Purchasing Department and the Controller's Office should expedite the handling of Youth Guidance Center and Log Cabin Ranch supply requisitions.

Response: This problem has not been totally resolved.

Administration and Staffing

Recommendation #1: The Mayor should ensure that the number of maintenance employees at the Youth Guidance Center is increased or make it possible to hire qualified sustitute employees immediately upon need.

Response: This has been done.

Recommendation #2: The Mayor should ensure that the use of outside contractors is permitted if the Department of Public Works cannot fill maintenance requirements within a reasonable amount of time.

Response: This is being done.

Recommendation #4: The location of the status offender facility should be entirely removed from the YGC.

Response: No action has been taken.

COMMITTEE

Jeanie M. Barry
Jules M. Heumann

SPEAKERS

before the

SAN FRANCISCO 1987-88 CIVIL GRAND JURY

Mary Burns	General Manager, Recreation & Parks
Ramon Cortines	Superintendent of Schools, SFUSD
Richard Evans	Director, Public Works
Dianne Feinstein	Mayor of San Francisco
Frank Jordan	Chief of Police
Michael Hennessy	Sheriff
Vello Kiisk	Acting Executive Director, Port
Bill Maher	Member, Board of Supervisors
Clare Murphy	General Manager, Retirement System
Rudy Nothenberg	Chief Administrative Officer
Thomas Peters, M.D.	Associate Director of Health
Edward Phipps	Chief of Fire Department
Rose Randolph	Acting General Manager, Social Serevices
Louise Renne	City Attorney
Harvey Rose	Budget Analyst for Board of Supervisors
Arlo Smith	District Attorney
Dennis Sweeney	Chief Parole Officer, Juvenile Court
Paul Varacalli	Executive Director, Local 790, SEIU
Nancy Walker	President, Board of Supervisors
John Walsh	General Manager, Civil Service
David Werdegar, M.D.	Director of Health

RECOMMENDATIONS OF THE

1987-88 CIVIL GRAND JURY

CIVIL SERVICE

1. The Civil Service Commission should propose, and the Mayor include in his budget, a program and computer capacity that would provide accurate information on the number of positions that are filled in the City work force.

2. The Civil Service Commission should:
   a. advertise entry-level positions widely through newspapers, community agencies and on college campuses,
   b. make periodic visits to the campuses to acquaint students with the range of jobs available and the opportunities the City provides for careers of increasing responsibility and
   c. recruit for promotional jobs that are not filled by well-qualified inside applicants.

3. The City should change the Charter to allow the Civil Service Commission to:
   a. cancel any list with fewer than three eligibles,
   b. make continuous additions of eligibles to existing lists,
   c. purge lists of names of persons no longer interested or available, and
   d. make the duration of any list commensurate with the demand for the job.

4. The Civil Service Commission should use standardized tests for entry-level positions.

5. The Civil Service Commission should change the protest procedures to allow filling positions in a timely manner.

6. The Civil Service Commission should pay particular attention to the needs of small departments, including allowing broader job descriptions and flexibility in use of staff.

7. The Civil Service Commission, the Mayor and the Board of Supervisors should support the Management Training Unit by providing adequate funds for instructors and setting aside sufficient permanent training space to carry out a complete program.

RECOMMENDATIONS (Continued)

CIVIL SERVICE (Continued)

8. Managers should be held accountable for the evaluation of those they supervise.

9. On-The-Job-Training should be designed and implemented for use in areas where evaluations reveal insufficient performance on the part of permanent employees.

10. Promotions should be based on a combination of examination, performance evaluation, seni rity and recommendation by one's supervisor.

11. The City should provide opportunity for rewards for productivity such as bonuses, accelerated salary advancement within classifications and/or "efficiency sharing."

12. The Civil Service Commission should not permit overtime pay to "Z" employees unless the overtime was incurred as a result of a declared emergency.

13. The Civil Service Commission should monitor very carefully the use of overtime and contracting-out.

14. The City should prohibit compensation for more than one year's accumulated sick leave (i.e. thirteen days) upon an employee's retirement.

15. The Mayor should appoint a broad-based Citizen's Committee on Municipal Wage Setting, to include those experienced in labor and management, to:

a. review and evaluate current wage-setting procedures for all civil service classifications,
b. study alternative methods and proposals for municipal salary and wage determination, and
c. recommend to the Mayor and the Board of Supervisors changes which will provide flexibility in determining salary and wages, as well as providing opportunity for incentives for superior job performance at all levels.

RECOMMENDATIONS (Continued)

HETCH HETCHY POWER

1. A study should be made to determine whether municipalization of power for the city of San Francisco is economically sound. Such a study will require the services of experts in requisite fields and should be supervised by a Citizen's Committee appointed by the Mayor. The Committee should ensure that the existing documents and reports[17] are made available to the experts.

2. There should be an amendment to the City Charter Sect. 3.502 requiring approval by the Board of Supervisors for contracts, revenue or purchasing, in excess of one million dollars.

DEPARTMENT OF PUBLIC HEALTH

1. The Mayor and Board of Supervisors must support the Health Department by assigning higher priority to:
    a. educating the entire community, particularly high-risk groups, that AIDS is a disease that can be prevented by responsible behavior,
    b. obtaining more state and federal funds to help meet the challenges posed by the high-risk intravenous drug user group, and
    c. increasing law enforcement pressure on narcotics dealers and users.

2. A Mayor's Task Force on AIDS should have half its members drawn from the affected non-medical community.

3. The Health Commission should appoint an advisory committee devoted entirely to the HIV/AIDS crisis. In addition to medical doctors, this committee should include experienced non-medical decision makers, law enforcement officials, corporate executives and community leaders.

4. The Mayor should appoint a task force on homeless youth, separate from the current homeless program, to coordinate the efforts of all agencies, public and private.

RECOMMENDATIONS (Continued)

DEPARTMENT OF PUBLIC WORKS

1. DPW should develop a public information campaign to educate city residents that the department relies on the public's reporting of potholes, street surface defects and missing and defaced street signs.

2. DPW should publicize its service telephone number in addition to its listing in the telephone book.

3. The Department of Purchasing should work to expedite implementation of the computerized Maintenance Management System.

4. Using the data provided by the Maintenance Management System, DPW should develop a Vehicle Replacement Schedule based on life cycle costs, demonstrating long-term cost effectiveness.

5. The Controller should raise the dollar amount in the cost definition of "Capital Equipment" to reflect current costs.

6. DPW should develop quantitative data to demonstrate that investment in training is cost-effective to the City.

7. The Bureau of Building Inspection should budget for, and hire, more field inspectors.

8. BBI's remodeling plans for the Public Services Division should emphasize much bolder and clearer signs and graphics directing applicants to the information booth.

9. BBI employees dealing with the public should receive additional public contact skills training with emphasis on language and cultural differences.

10. The cyclone dust collector/exhaust unit at the woodworking shop should be moved outside the building.

RECOMMENDATIONS (Continued)

PURCHASING DEPARTMENT

1. The Mayor, in conjunction with the Purchaser and Controller, should assign top priority to accelerating computerization of the ordering and invoicing systems. This includes the purchase order process, the purchase order payment process and the document processing system. The tracking of all contracts and documents should be expanded citywide to include centralized tracking of contracts for goods, services and construction under the Purchasing Department.

2. The Director of Purchasing should have the authority to consolidate city purchasing and contracts in a single computer system so that the Department is the source of all purchasing information within the city.

3. The Board of Supervisors should undertake a cost analysis of the direct and indirect cost of the Minority, Women and Local Business Enterprise program.

4. The Board of Supervisors should amend the Minority, Women and Local Business Enterprise ordinance to limit its effect to minority and women-owned small business enterprises that are domiciled within the City and County of San Francisco prior to any extension of Ordinance Number 139-84.

5. The Garbage Rate Setting Board should be vigilant to assure that the costs of the Employee Stock Purchase Plan are not included in the rate base or in the accounts used in determining the costs of collection.

RECOMMENDATIONS (Continued)

SOCIAL SERVICES

1. The Mayor and the Department of Social Services should streamline the method of selection of a General Manager. The process takes too long. A General Manager should be appointed in three to six months after a vacancy occurs.

2. The new General Manager must seriously consider the issues outlined in the staff letter and respond to their concerns.

3. The new General Manager and the Administration should expand the lines of communication on all levels of the Child Welfare staff.

4. The new General Manager and the Department of Social Services should implement the Child Welfare League of America's study and install an Automatic Call Distributor for public hotline numbers to improve emergency response.

5. The new General Manager and the Director of Budget and Fiscal Operations should give budgetary responsibility, authority and accountibility to the Child Welfare management.

6. Child Welfare Assistant Directors should receive input from line supervisors before making transfers of workers.

7. The new General Manager and the Social Services Commission should develop a computer system (MIS) capable of operating independently of the Department of Social Services Case Data System.

8. The General Manager should increase the number of Social Service Technicians (2904) to keep pace with the growing caseloads.

9. The new General Manager should provide a clerk for each unit.

10. The Child Welfare Assistant Directors should resolve the reporting lines with the Unit Supervisors and clerks.

RECOMMENDATIONS (Continued)

SHORT SUBJECTS

Mayor's Citizen Assistance Center

1. The Mayor's Citizen Assistance Center should make a diligent effort to upgrade and update the reference/resource manual so that in times of budget and personnel cutbacks the office can continue to provide effective service.

2. The Mayor's Citizen Assistance Center should list its phone number in bold face under "Citizens Assistance" in the City pages of the phone book.

3. The Budget Director and the Mayor should prepare the budget for the Mayor's Office in such a way that a distinct figure can be rendered for the Citizen Assistance Center.

The Jails

1. The Board of Supervisors, the Sheriff's Office, the Jail Policy and Planning Advisory Committee and all other County agencies who have a role in the acquistion of Proposition 52 funding must immediately collaborate on, jointly-produce and adhere to a detailed project plan. The plan should identify and list all the tasks, interdepartmental dependencies and milestone involved in timely acquisition and judicious expenditure of the State funds available for the County's detention system.

2. As an extension of the Civil Grand Jury's mandate that it investigate the condition and management of the County's jails, it is recommended that the 1988-89 Civil Grand Jury monitor and report on the activities and conclusions of the Jail Policy and Planning Advisory Committee.

3. Civil Service should conduct an on-site job audit of the custodial positions presently staffed by deputy sheriffs to determine whether the positions should be reclassified to custodial officers whose salaries would be set at a lower benchmark.

SHORT SUBJECTS

The Public Administrator

1. The Public Guardian should complete procedures to handle the recording of money and other assets in accordance with the Internal Auditor's report.

2. The Public Administrator should prepare a report to the CAO which asseses the amount of float per year that has accrued to The Bank of Industry, together with an evaluation of the worth of the computer system and services received from the Bank. A conclusion should be made as to whether this arrangement locks the Office into a perpetual tie with the Bank.

3. The 1988-89 Grand Jury should undertake an investigation of the public conservatorship function in order to establish a baseline for future oversight.

Public Housing Security

1. The SFHA should make every effort possible to remodel or replace antiquated, unsafe highrise buildings with three story secure units.

2. The Police Department should place more emphasis in training its officers on meeting the security needs of Housing Authority tenants.

3. The Authority should assist the tenants in forming and operating associations and encourage cooperative means for working together.

1988-89 CIVIL GRAND JURY REPORTS

DOCUMENTS DEPT.
JUL 19 1989
SAN FRANCISCO

CITY AND COUNTY
OF SAN FRANCISCO
CALIFORNIA

CITY AND COUNTY OF SAN FRANCISCO
GRAND JURY

OFFICE
ROOM 165, CITY HALL
TELEPHONE: 558-5010

July 6, 1989

Honorable Daniel M. Hanlon
Presiding Judge, Superior Court
Room 411, City Hall
San Francisco, CA 94102

Dear Judge Hanlon:

It has been an honor, and a valuable learning experience, for the 1988-89 Civil Grand Jury to work together to produce these reports. We transmit them to you with the hope that they will lead the way to changes that will benefit the City.

As you are well aware, several jurors found it necessary to resign during the year, mostly because they were unable to devote the time required by service on the jury. I wish to voice a special thanks to those jurors who assumed their duties mid-stream. Although they missed many of the informative talks given to us by City officials, and missed the chance to initiate projects that would have been interesting to them, they rolled up their sleeves and went to work with gusto. Together with the stalwarts who had already been through many fires, they formed a jury that became a cohesive working unit.

I would like to congratulate you on behalf of our jury for instituting a method of selection that will take advantage of citizens' interest in being involved in the civil grand jury process. Hopefully they will be given the tools to do their work. Finding a meeting room where the jury members can sit around one table should be given high priority. An increased, clearly-defined budget should be established.

The budget should include money enough to commission an audit when the jury thinks it is of immediate importance, or to buy consultant hours when the jury lacks the expertise to do a thorough job. Jury members should be paid for all meetings. There is presently a monthly limit on the number of meetings for which a juror can be paid. Since there are few committee meetings at the beginning of the year and many at the end, jurors go unreimbursed for much of their time. The pay is a token at best, but it does express to a juror that service on the jury is considered important by the Court. Finally, funds should be provided for the word processing and copying that cannot be done in the Jury Office.

You are no longer charged with caring for the jury, but we all hope that when these matters come up, as they will, you will use your experience to further the jury's interests.

You have been of great moral support to me on several occasions. I appreciate it very much. I appreciate, too, the sage advice offered to me and others by Mike Tamony of the Jury Office, and the cheerful efficiency of Gary Giubbini.

Thanks must go also to Miriam Morley and Burk Delventhal of the City Attorney's Office. They helped the jury understand as best we could the case of McClatchy Newspapers v. Superior Court (1988) 44 Cal.3d 1162. As a result, we have not included in any of the reports the names of people interviewed or the names of the committee members doing the investigation. This is a departure from past practice, but is done in the spirit of protecting those who come before the jury.

All of us who have served this year have come away with a profound respect for all citi- zens who serve on juries. There is a decency of purpose that underlies the willingness to render judgement as best as one possibly can on the way people perform and the way government works. The only fitting reward is to have our work taken seriously, in the spirit with which it was done. Thank you for the opportunity to be a little more weary, and a little more wise.

Respectfully submitted,

Caryl C. Mezey

Caryl C. Mezey
Foreperson

1988 - 1989
CIVIL GRAND JURY
REPORTS

CITY AND COUNTY OF

SAN FRANCISCO

CALIFORNIA

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MEMBERS OF THE 1988 - 1989 CIVIL GRAND JURY

IN AND FOR THE

CITY AND COUNTY OF SAN FRANCISCO

David M. Bidwell

Larry M. Giles

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STAFF

Michael K. Tamony

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Jesse Ivy

THE BUDGET AND FISCAL RESPONSIBILITY

I. INTRODUCTION

The Civil Grand Jury of 1988-89 began a study of the San Francisco budget process soon after the Fiscal Year (FY) 1988-89 budget was adopted by the Board of Supervisors and signed by the Mayor. City officials came before the Jury; all were asked about the budget. A committee conducted further interviews and read past reports. Discussions took place among the jurors. At the end of the year, after hours of work, the Jury found it knew little more than when it started. It shares with the public at large the sense of confusion that a viewer has when watching a magician pull a rabbit out of a hat. The rabbit can now be seen. But how did it get there?

There has been a great deal of talk about "deficits," and yet the City and County's financial condition is considered to be good. Moody's has rated recent City bonds as Aa and Standard & Poor's has rated them AA. In order to raise the ratings higher, San Francisco must increase its capital reserve from $10 million to $50 million, which the Mayor has proposed doing in his 1989-90 budget.

Although the City received A's in this category, the FY 1988-89 budget had to be balanced by freezing the salaries and wages of City employees, making cuts in programs and raising business taxes. This was necessary because anticipated revenues could not cover desired expenditures and there was no surplus from FY 1987-88 to apply to the difference, which was estimated to be $175 million. Balancing the budget, which is required by law, had been accomplished in the several preceding years through the use of previous years' surpluses.

At the end of FY 1988-89, despite earlier predictions of a large shortfall for FY 1989-90, there was none. To the contrary, the Mayor's budget for FY 1989-90, now under consideration by the Board of Supervisors, contains a $120 million increase over FY 1988-89, including $100 million for salary standardization to cover this year and last, and a $20 million increase in programs. $30 million was saved by cuts in administrative overhead and other efficiencies. No new taxes are required. Which walnut hides the remaining $90 million unprojected revenue?

The public is told that the Assessor's Office and San Francisco General Hospital have been able to make improvements that resulted in making collections in a more timely fashion. It is told the economy was vigorous enough to return greater than expected tax revenues. Unexpectedly, State funding remained level. And almost as unexpectedly, rain began to fill Hetch Hetchy.

The Grand Jury does not know where else to find the $90 million increase in revenue, but it does have questions about the process.

II. PLANNING AND PROJECTIONS

Findings

San Francisco is not allowed "deficit financing." Each year's budget must be balanced. In order to do that, careful planning has to be done in preparing the budget, particularly since surpluses are no longer available to even out each year.

Each Fall the Controller, the Deputy Mayor for Finance and the Board of Supervisor's Budget Analyst[1] work together to prepare a forecast of the estimated resources for the succeeding fiscal year. This projection is prepared well in advance of the start of the budget process so that policy makers can be made aware of any changes that are required to produce a balanced budget. If the anticipated expenditures exceed anticipated revenues, the difference is called the "shortfall." New revenue must be found, or cuts made in expenditures, to cover the amount of the shortfall.

In November 1988 these three officials projected a budget shortfall for FY 1989-90 of $72 million. Contributing to this figure was the expectation that State funds for the City would be cut. Departments received instructions to start drafting their budgets on these assumptions. In March 1989 they projected a $58 million shortfall. Arthur Andersen & Company, in a report done for the City, agreed, concluding:

> "...the City of San Francisco will have a deficit of approximately $60 million in FY 1989-90, and will continue to experience budget shortfalls for the mid-term future. This[sic] root of this fundamental imbalance between revenues and expenditures can be traced to the passage of Proposition 13 in 1978. In addition, several recent trends have exacerbated this problem: the anticipated slow growth in the local economy over the next three to five years; the decrease in relative financial support from the State and Federal Government; and the growth in public sector wages at or above the inflation rate."

Despite these predictions, on June 1, 1989 when the Mayor submitted his budget to the Board of Supervisors, it was not only balanced but had a $120 million increase over FY 1988-89. The Mayor asserts that the secret of his success was the introduction of zero base budgeting, which enabled him to save $30 million in efficiencies. Each department was given a clean slate on which to build their case. Each item was then evaluated before it was entered into the budget. These one-time savings were impressive.

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[1]The Budget Analyst works under contract for the Board of Supervisors.

The projections are based on data from the current year's operations; therefore, the early ones are made with limited information. As the year progresses, the available data increases and a closer approximation can be made. Even in May a $17 million shortfall was expected.

The public reacts to the ever-changing shortfall estimations with skepticism. It is hard to judge from the outside if the projection process is politics by alarm or a necessary price to pay for fiscal responsibility. This is a problem that must be addressed.

The concern about whether the year-end shortfall is accurately figured or is the result of inaccurate projections goes back several years. In February 1983 Arthur Andersen & Co., working through the Chamber of Commerce and City officials, presented a Strategic Plan for San Francisco. This Plan included a five-year financial forecast. Based on clearly identified losses of revenue from such factors as the passage of Proposition 13, it concluded that the City's then-surplus might well be depleted in two to five years since the City's expenditures were increasing at a more rapid rate than its revenues. The Plan stated unequivocally that there is a structural problem in the General Fund Budget that has to be addressed.

In March 1985 the Budget Analyst presented a schedule with projections for FYs 1979-80 to 1989-90. The Plan stated that based on a continuation of the present level of services, the City's projected expenditures would exceed the City's projected revenues and surpluses beginning in FY 1986-87.

In October 1988 Arthur Andersen & Co. completed an up-dated fiscal model, incorporating new inflation and salary standardization expectations. It reorganized the changing growth rates of major revenues and expenditures in the General Fund in order to identify long-term trends and provide a new five-year forecast. They recommended using the Mayor's Fiscal Advisory Committee to study restructuring the General Fund budget, continuing long-range planning from the top down to the department level, and adding new information to the fiscal model as it came to light.

While projections are affected by uncertainty, it is essential that they be made. By comparing the present year trends with updated five-year forecasts, long-term trends can be identified, imbalance between expenditures and revenues can be revealed and the impact on the City can be determined.

However, a much greater effort must be made to interpret the projections to the public in a way that is understandable. The public should be made to understand that these projections are points of departure, something written in pencil, something that will change. It is the Mayor's responsibility to convey this to the public as well as his colleagues and make certain that projections are used as tools, and not a way of alarming the public so that it will accept politically motivated fiscal decisions.

Recommendations

1. The Mayor, the Board of Supervisors and the Controller should continue to make projections for one year and for five years on General Fund revenues and expenditures.

2. The Mayor's Office should make every effort to keep the public informed of procedures and priorities in every stage of the budget process, particularly in regard to projected shortfalls.

III. PERFORMANCE

Findings

The passage of Proposition 13 did force an assessment of City services as was intended. However, no organized way has been established to monitor the work of City departments. Measurement of performance and productivity have played a small part in budget planning until this year with the advent of zero base budgeting.

Any member of the Board of Supervisors may request that the Budget Analyst audit a City department or firms who contract with the City. The Budget Analyst schedules audits after performing other duties deemed by the Board to have a higher priority, such as analyses of the fiscal impact of pending legislation. The Budget Analyst has stated that "in FY 87-88 less than 19% of ... total staff hours were available for management auditing, and only three reports were issued."

According to the Budget Analyst (8/25/88), 41 management audits and special assignments had not yet been scheduled to be done. He estimated that it would take 4 1/2 years to complete them. In the past five years twelve audits have been completed. He says that his budget does not allow for more audits.[2] Even though his office has been able to undertake so few, the Budget Analyst estimates that as a result of audits his office has done since 1979, a total of $203 million has been saved by the City.

Audits are also done by the Controller's Office. Most have not involved a comprehensive look at City departments. In fact, some departments have never been audited. The past Controller satisfied himself with "pre-audits" of bills for goods and services as they come in. The Charter does mandate that the Controller audit any department when there is a change in top management. The newly-appointed Controller is auditing his own department to comply with that requirement.

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[2]Even when they are completed they do not always get the attention they deserve. See the Oversight Committee section in this Report.

The new Controller has expressed the desire to institute comprehensive departmental audits on a basis that would allow each department to be audited every five years. The Controller presently has a staff of twenty to do audits and would like to increase it to forty. Eight new performance auditors have been added for the coming year. He said that without these audits the Controller is unsure if his books match those of the departments. He is also unsure of which programs are in each department, what those programs are accomplishing and whether they should continue to exist.

Recommendations

3. The Board of Supervisors should cancel all previous requests and ask of the Budget Analyst to do only those audits that can be completed within a year.

4. All other audits should be done by the Controller.

5. The Mayor and the Board of Supervisors should continue to support the Controller's requests for increased audit staff

6. Whether the auditor is the Budget Analyst, the Controller or an external contractor, auditors should be required to follow up in six months on their completed audits.

IV. POLICY

Findings

Legislation that has obvious fiscal impact gets the attention of the Budget Analyst, the Controller and the Deputy Mayor for Finance. The Budget Analyst, is asked to study the fiscal impact sometimes even before the legislation is in written form. The Controller and the Mayor's Office are precluded by the Charter from interfering in the legislative process. They may testify before the Board, however, if they are requested to do so.

Legislation that does not have an obvious fiscal impact sometimes does not get analytical attention, even though its long term ramifications may well influence labor costs, allocation of resources and workload. And legislation for which political considerations outweigh fiscal impact may never receive a thorough analysis of its policy content.

Such issues are dealt with in Sacramento by two avenues. The Office of the Legislative Analyst, made famous by A. Alan Post, is scrupulously non-partisan. It reviews all legislation for its fiscal impact, identifies the resulting workload,and speaks to its administrative costs. The Office also reviews ongoing operations of programs and does a detailed analysis of the Governor's budget. Once a year it publishes a book on "Perspectives and Issues" that gives a "think-tank" analysis of long term problems, an overview of the state's fiscal position and discusses major issues facing the legislature.

The second avenue is a "hands-on" one. Each policy committee of the Legislature has a majority party consultant and a minority party consultant. They write a public analysis of each bill, but they also advise their own party committee members. Since they are involved in the "nuts and bolts" of legislation they are seen as being partisan.

Members of the Board of Supervisors have expressed an interest in expanding the role of the Budget Analyst's Office to include policy considerations. At the request of one of them, the Budget Analyst prepared a discussion paper in August 1988 on adding a legislative analysis function to his Office. One of his suggestions was to add five members to his staff so that they would be able to staff the committees of the Board.

While the Civil Grand Jury is very supportive of having more policy support for the Board of Supervisors, it questions having the Budget Analyst staff Board committees. The Jury fears that the Budget Analyst's reputation for independence would be jeopardized by this approach. To be effective, the Budget Analyst must not only maintain his objectivity, but also appear to the public to be objective. Working directly with Board committees on legislative policy issues could well muddy that distinction.

Recommendations

7. The Board of Supervisors should continue to explore adding a legislative policy analysis function to its operations.

8. The Budget Analyst should not staff Board committees.

CONTROLLER'S OFFICE
INFORMATION SERVICES DIVISION

Procedure

The Civil Grand Jury undertook an evaluation of the City's computer systems. The Jury observed the main computer area in City Hall and interviewed management staff and members of the Electronic Information Processing Steering Committee (EIPSC - pronounced "ice pick"). They also interviewed the Controller, who has responsibility for the Information Services Division. This is the primary computer resource for the City and County of San Francisco.

Background

EIPSC is a steering committee composed of seven members. The Chief Administrative Officer chairs the group. The six other members rotate among the user departments. The "Three Year Master Plan" of ISD states that:

> "EIPSC'S goal is to encourage and promote the intelligent use of information processing systems by establishing a common environment (framework) through which the City and its departments can achieve their overall objectives. It will do so while also assuring that information processing investments can be justified in terms of public service benefits achieved."

I. COMPUTER SERVICE AREA

Findings

The Information Service Division (ISD) area is in the basement of City Hall. This area is made over to accommodate the computer mainframe and ancillary equipment. The area includes the administrative office of ISD, some information storage capacity, a word processing area and information distribution areas. Some word processing equipment is located in other parts of City Hall not adjacent to the primary ISD area. Recent modifications include a new cooling system and a water recirculation system. The area is not conducive to efficient work flow.

There are areas for outside departments to pick up and take in work. These areas are congested, poorly lighted, drab and lacking in security. Security seems to be limited to the area containing the mainframe computers.

Data entry personnel work in a large, poorly lighted room in row of desks that are very close together. A lunch room off this area is provided for all

department personnel because of the round-the-clock shifts. The lunch room has no sink, no ventilation, broken furniture and exposed pipes. The area is very depressing.

The ISD's Central Site Data and Network Control Center resembles a maze. The area is cramped, dirty and dark. It is a confusing jumble of phones, papers and equipment, and is difficult to find a pathway through. It appears to be unsafe.

Central Site Operations, which contains the mainframe computers, has a raised floor that is uneven, unstable and dirty. The purpose of this raised floor is to support the mainframe computer components and to allow access to the cables underneath. These cables must be accessible for maintenance, therefore the floor must be installed in removable sections. However, this particular floor presents a hazard. Dirt collects easily under it. Computers and the auxiliary equipment needed to run them are extremely sensitive to dust and dirt. Because the floor is seldom, if ever, pulled up and cleaned underneath, there is serious potential for damage to the entire mainframe computer system and the auxiliary equipment.

To add to the problem the printer, which runs continuously, creates a great amount of dust. The printer is adjacent to the mainframe computers and modems. This adds to the potential for an ISD system breakdown.

The only area that appears to be well-maintained is the record storage area.

The Controller and the Chief Administrative Officer both testified that they had not visited the area.

Recommendations

1. The Controller and all EIPSC members should immediately visit the Information Services Division areas in the basement of City Hall.

2. The Controller should immediately clean, reorganize and refurbish the entire ISD facility in the basement of City Hall. As long as it is to be used, working conditions in this area must be improved.

3. The Controller should immediately consider an alternative to the space now used by ISD

II. ORGANIZATION OF INFORMATION SERVICES DIVISION

Findings

The Controller stated that there are presently five or six computer sites under his supervision. In City Hall there is a Director, at least one Assistant Director, one Assistant Chief, a Central Site Manager and a Manager of Production Support, Central Site. Management personnel exist at each other site as well. At the same time there are 26 entry-level vacancies at ISD. The Jury observed that the ratio of management to operating personnel was top-heavy.

The most crucial need within the department is for programming personnel. It is difficult to recruit career programming personnel at present salaries. It is equally difficult to keep such personnel for any length of time. The City trains them and then loses them to employers who pay more for their services.

Recommendations

4. The Controller should reorganize the physical space of ISD so that management personnel can be reduced.

5. The Controller should try to increase the salaries of programming personnel to a level that is competitive with the market.

III. SITE FOR INFORMATION SERVICES DIVISION

Findings

Persons testifying before the Civil Grand Jury expressed the urgent need for additional City office space, preferably in one building. Such a site should include sufficient and appropriate space for an efficient computer center.

Recommendation

6. The Controller should recommend to the Mayor and the Board of Supervisors that they seek the acquisition of a City Office Building that could house data processing, as well as other City departments.

IV. FUNCTION OF INFORMATION SERVICES DIVISION

Findings

Information Services Division serves all City departments by performing data processing and related work on a paid-for basis. Each department submits essential work, such as payroll and personnel records.

At present 30% of the computer use is designated to the Health Department. Other major users of ISD are Social Services, Court Management Systems, Civil Service and Retirement. Other departments use the services of ISD to a lesser degree. Several departments maintain personal computers for their own use. Other departments in the City use WANG processing, which is located at ISD. However, ISD is not responsible for the WANG.

ISD charges the various departments for their services. ISD personnel were unable to provide cost amounts charged to departments which use ISD services.

While ISD operates the system, EIPSC coordinates planning, advocacy and information sharing, which guides the departments in requesting work from ISD. EIPSC also is mandated to set standards and to control, monitor and evaluate data processing requests and use.

The Controller told the Jury that the capacity of ISD is sufficient through 1990/91. A major change in this capacity may occur if and when the Health Department develops an independent computer system. Should this take place ISD may have three additional years (1993/94) before exceeding capacity. The Controller further stated that "there is no long-range computer plan."

The Controller is responsible for this long-range planning, but in actuality it is done by EIPSC. This group prepares a master plan for computer use within the City every three years. It is presently preparing the next one, which will become effective in 1991. The master plan will state priorities for use and recommend purchase or implementation of new electronic data processing equipment.

Purchasers of ISD services are generally satisfied with ISD's results. However, several programs in the ISD mainframe are out-of-date and/or outmoded, but are used out of necessity. The Jury found that little is being done to promote in-house programming for the future needs of the City.

Other county governments are developing long-range data processing and telecommunications systems. These governments have found that software that suits governmental needs is readily available. Some of this software is in the public domain and can be obtained at very little expense. It is compatible with other governmental agencies. Systems sharing among government agencies could significantly reduce programming costs.

Recommendations

7. EIPSC should consider a five-year master plan to project data processing needs instead of the present three-year planning.

8. The Controller should recommend that the Mayor and the Board of Supervisors consider the establishment of an independent City department for providing telecommunications and data processing services

V. UTILITIES MAPPING

Findings

During the course of this investigation, and in discussion of other matters before the Civil Grand Jury, the Jury discovered that City utility locations (above and below ground) are mapped by various departments in different ways. There is little or no communication among the departments about what each department discovers as streets are dug up or utility poles changed. Mapping is not even done on the same scale.

Private utility companies are presently complementing each other by using compatible mapping. The City should join in this program. This lack of a central source of mapping makes all types of installations and repairs more costly. ISD is the logical place to house this resource.

Recommendation

9. The Public Utilities Commission and EIPSC should immediately begin a central mapping project consistent with private utility company maps.

HOMELESSNESS IN SAN FRANCISCO

> "There is no solution for the problem of homelessness that has not already been thought of. What needs to happen is for those with ideas to join together with those with resources, authority and capacity to implement."
>
> Subcommittee on Homelessness
> United Way of the Bay Area - 1988

Background

The existence of a homeless population in San Francisco appears to be a permanent condition that will continue to grow. Estimates of the number of homeless men, women and children in San Francisco range from 5,000 to 10,000, with 6,000 being the figure most often used for statistical and planning purposes.

Professionals studying the problem estimate that $40 million has been spent on homelessness each year since 1982 in San Francisco from city, county, state and federal sources. The bulk of that amount is spent by various agencies of the City and County at 90 locations throughout the City. Services are provided primarily by the Department of Social Services (DSS), the Health Department, the Mayor's Office of Housing, the Mayor's Office of Community Development and a loose configuration of private and charitable agencies.

The Board of Supervisors Budget Analyst recently estimated that up to $57 million could be spent on the homeless in 1989. Anticipated expenditures by DSS alone are expected to exceed $6.7 million. Other departments involved are Sheriff, Public Defender, Recreation and Parks, Police, Public Works, the District Attorney and the Department of Public Health.

No clear picture of spending on homelessness has been developed.

The homeless population contains the following estimated subgroups, some of which are overlapping:[3]

Families	1,200	Veterans	1,800
Mentally Disabled	1,800	Substance Abusers	1,800 - 3,600
Seniors	1,000	Youth/Runaways	650 - 1,200
Physically Disabled	1,500	AIDS/ARC Victims	200 - 300

From 15% to 20% of homeless persons have jobs.[4] Eighty per cent of all homeless have prior work experience and half have specific transferable

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[3]United Way Bay Area Subcommittee on Homelessness, July 1988.

[4]"Taking Action on Homelessness," Address by Richard Boyce of Bain & Co. to the Commonwealth Club of San Francisco.

skills. Thirty-five per cent of the homeless receive no direct governmental aid other than episodic shelter and food.

The homeless population may be divided conceptually into thirds, characterized as the "derailed," the "disabled" and the "disfunctional." Definitions are as follows:

> The "derailed" have often lost their home because of job loss, fire, accident or severe illness for which they lacked medical coverage. Many employees have minimal or no medical insurance. Because 20% of San Francisco households have annual incomes under $10,000, they are at risk of becoming homeless.
>
> The "disabled" have special needs in addition to food and shelter. They arise from generally treatable conditions such as physical or mental disabilities or substance abuse. Their impairments appear to increase with the length of time a person remains in an unstable, homeless condition.
>
> The "disfunctional" have substantially more severe disabilities. Many have experienced intense alienation and trauma. They may have been in the homeless environment so long that integration into the mainstream is unlikely.

This report focuses upon the derailed and that portion of the disabled that is most amenable to help.

I. POLICY AND LEADERSHIP

Findings

Dozens of advocay groups, task forces, committees and coalitions have formed to address the many issues of homelessness. They have produced many hundreds of pages of reports and policy recommendations, as well as recommendations that other studies be done and task forces be created.

In December of 1982 the Mayor established a 23-member Task Force on the Homeless. In 1983 the Mayor's Homeless Fund Advisory Committee was established. In June of that year the Service Providers Coalition began meeting regularly. In 1986 the Mayor appointed a 24-member Homeless Planning Council and a Homeless Coordinator was designated. In 1987 the Board of Supervisors established a Task Force on Homeless Women and Children. In 1988 the newly-elected Mayor established a Coordinating Council on Homelessness and named a part-time Homeless Coordinator.[5]

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[5]This chronicle from "Background on San Francisco's Homeless Program, November 1982 - January 1987," Mayor's Office.

In early 1988 the Board of Supervisors adopted a 12-Point Policy on Homelessness in San Francisco. In August of 1988 the Social Services Commission formulated a policy for the Department of Social Services. Policies have been recommended by the United Way Subcommittee on Homelessness, the Homeless Task Force, the Coalition for the Homeless and Public Advocates.

Implementation of recommended solutions has been undermined by conflicting agendas and lack of leadership. Development by consensus of an integrated policy has not been successful.

City departments are hindered by existing programs in their attempts to develop inter-agency solutions. Decision-makers appear unwilling to depart from previous expenditure patterns to pursue compromise proposals when faced with certain strong resistance. Each player in the decision-making arena appears reluctant to surrender funds, authority or advocacy of its position until universal consensus has been achieved. In the meantime, progress is timid and incremental at best.

Proposals for targeting services to the newly homeless in order to prevent their situation from becoming permanent are often opposed. There is fear that focusing on the derailed, who are most likely to be helped with the least effort, will divert attention and resources from the disabled and disfunctional. In actuality, the lack of priorities and focus has resulted in emphasis being placed on the middle group, the disabled, while failing to address the needs of the derailed or the disfunctional.

Many homeless advocates insist on a thorough and comprehensive solution for all three groups simultaneously. They oppose what they consider to be partial or targeted solutions. Others talk of spending hundreds of millions of dollars to attack the root problems caused by homelessness.

The policy conflict has seemed to resolve itself into paralysis.

The lack of a coordinated vision, integrated policy, effective decision-making and purposeful implementation is made worse by other demands on City revenues. The needs of the homeless cannot be met through local revenue sources alone. The lack of coordinated planning is likely to result in the loss of substantial amounts of McKinney Act funding currently being made available by the federal government for transitional housing.[6]

The Grand Jury concludes that the failure to make significant progress in addressing the homeless issue is attributable in large part to the lack of clear direction and strong leadership of the past and present mayors. Without forceful leadership effective use of homeless funds will not occur.

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[6]Since this report was adopted by the Civil Grand Jury of 1988-89 on June 7, 1989, the Mayor has introduced his Budget for FY 1989-90. It contains a request for $112,000 to provide a 50% match for federal McKinney Act funds.

The appointment of a full-time administrator with authority over all the City's homeless programs is overdue. The creation of an environment that encourages the crucial participation of the business and labor communities is long overdue. To accomplish this, the administrator should be a person of substantial public stature who has the political skills and persuasive ability to forge a unified policy and create an effective overall plan.

Recommendations

1. The Mayor should appoint a full-time Homeless Administrator. The Administrator should:

- **a. be of substantial public stature,**
- **b. be answerable only to the Mayor,**
- **c. have wide-ranging responsibility and authority to develop and manage a unified program,**
- **d. have authority over all tax-funded spending for the homeless,**
- **e. have responsibility for identifying and obtaining state, federal and other available funds, and**
- **f. have the mandate to enlist the help of business. labor, civic and religious organizations.**

II. SERVICE

Findings

Public testimony has recurrently argued that the existing system for providing services is administratively cumbersome. It provides no incentive or means of stabilizing users and has no impact on breaking the homeless cycle.

Both public and private sector providers are focused on their individual program. They try to see that their target population receives maximum funding. This results in duplicate bureaucracies and "turf wars,"

Food, shelter, shower and laundry facilities, medical and psychological care, counseling, advocacy, job search, de-tox and other support services are scattered around the city. United Way studies have shown that a homeless person can spend up to 37 hours a week taking care of basic personal needs. Those with a home can do the same in 12 hours a week or less.

Insufficient access to health maintenance services increases the demand for emergency services at San Francisco General Hospital. This results in higher overall long-term costs. In his April 1989 report to the Board of Supervisors, the Budget Analyst's estimate of $57 million includes $36 million of costs at San Francisco General to care for the homeless.

The decentralization of services impedes people from being able to find and hold employment or obtain housing. The dispersion of services not only presents additional obstacles to obtaining a stable environment, it is in many ways redundant and inefficient Dispersed and uncoordinated services reduce the likelihood of inter-agency referrals and increase potential for individuals "falling through the cracks."

Assistance during the first week of homelessness is critical. After the first week of being homeless, the state of homelessness becomes a downward spiral which, if not addressed quickly, can result in irreversible harm to the individual.

Access to appropriate intervention services during the first week of homelessness dramatically increases the chance of an individual's return to a stable life. As demonstrated in Los Angeles and other cities, these kinds of services can be very effectively delivered at a centralized location. The absence of a Central Intake Facility in San Francisco hinders the adequate provision of these types of services.

The current spectrum of services is almost completely lacking in pre-homeless or preventative services. As the supply of affordable low income and very low income housing decreases, more and more San Franciscans will be at risk of becoming homeless. The frequency of reapplications to the Department of Social Services for emergency assistance indicates the need for timely provision of proactive services. Maintaining people in their homes can cost much less than servicing these applications over and over.

Commitment to the approach described above has been opposed on the basis that it would tend to skew provision of services to the "cream" of the homeless population - those most likely to produce a positive response. It is argued that such an emphasis might divert attention from those who need more intensive help.

The Grand Jury found that top priority should be given to the creation of a Comprehensive Service Facility.[7] The United Way's recent study has established that combining services with transitional housing would be cost effective, not to mention far more efficient for the client population. A facility such as that proposed by the United Way of the Bay Area (which was modelled after the Los Angeles Weingart Center) or an expansion of the Episcopal Sanctuary model would attract support from the business community.

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[7]This facility should provide meals, housing, showers, storage for personal belongings, medical and mental health care, counseling, de-tox (optional), alcohol and drug rehabilitation programs, childcare, advocacy, job search and job training, self-help center and social or re-socialization programs - the services United Way feels are essential to the homeless.

In the interim, and as a minimum, all City services related to homelessness should be required to provide intake representatives at a Centralized Social Services Intake Facility. State and federal agencies, such as the Veteran's Administration, State Disability and Social Security should be encouraged to lease space there also.

Proposals should be solicited from non-profit organizations to provide housing services to pre-homeless and just-homeless persons. Private sector financing and volunteers should be sought through the Mayor's Homeless Administrator. Services should include organizing shared living arrangements, especially for seniors and physically disabled. Services should also include housing referrals and mediation with landlords.

The Grand Jury finds that it is of the utmost urgency to assist those families and individuals who have found themselves suddenly homeless due to injury, sickness, layoff or other personal tragedy to find and secure permanent housing in order to forestall the downward spiral of homelessness.

Recommendations

2. The Mayor should direct the Real Estate Department to identify an existing space for a Centralized Social Services Intake Facility.[8]

3. The Mayor should direct all organizations providing services to the homeless to ensure that their programs are adequately represented at the Centralized Social Services Intake Facility.

4. When appointed, the Homeless Administrator should lobby state and federal agencies providing services to the homeless to place a service representative at the Centralized Social Services Intake Facility.

5. In addition to the creation of a Centralized Social Services Intake Facility, the Mayor and the Board of Supervisors should commit to the development of a Comprehensive Service Facility which would include preventive, medical, counseling and advocacy services, as well as transitional housing.

6. The Department of Social Services should provide pre-homeless services to assist people in maintaining their homes.

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[8]The Mayor's Budget for FY 1989-90 contains a $1.5 million reserve "that is designated for acquiring and renovating a site to be used for emergency housing and centralized services and referrals for the homeless."

III. SHELTER

Findings

During the holiday season of 1982, the problem of homelessness began to receive public attention as a major issue facing the City. In December of that year the Social Services Commission declared a State of Emergency which permitted access to $750,000 from the DSS "Emergency Relief Fund."

Emergency shelters were initially opened at the YMCA Hotel, St. Vincent de Paul Society, Glide Memorial, the Salvation Army, Grace Cathedral, Dolores Street Baptist, Trinity Episcopal and St. Marks Lutheran Churches, as well as the Continental and Carrol Plaza Hotels.

By April of 1983 shelter facilities at various churches had been supplemented or replaced by City-rented hotel rooms, thus beginning the homeless hotel program. For the past several years the Hotline Hotel Program, as it is known, has been funded at over $3,750,000 per year for approximately 1800 rooms per night in up to 32 single room occupancy (SRO) hotels. These expenditures are in addition to the $2+ million spent on shelters and special care facilities. The Mayor's Office of Community Development also spends $2.5 million to rent residential hotel rooms. It is estimated that 2900 people are housed each night at City expense.

The focus since that period has remained on providing emergency shelter for short stays of 3 to 5 days, although the homeless population has been a visible subpopulation in the City for over 6 years. Only recently has the period of stay been extended beyond 5 days.

Neither the City nor the hotel managers can determine to what extent the individuals using the Hotline Hotel Program in 1989 differ, if at all, from the people similarly housed in 1983. There is no identification process in place, although there is funding in the DSS budget for this purpose. Service providers with the City have offered to implement such a program.

The Department of Social Services is operating a de facto housing authority with the only apparent eligibility criterion being the willingness to move frequently. Reliance on the Hotline Hotel Program hinders development of appropriate housing solutions and perpetuates inefficient use of limited housing funds. For approximately the same amount the City pays to house people, transitional housing facilities such as Episcopal Sanctuary provide not only housing but also meals, counseling, training, money management, medical and social services.

Since January 1987 service providers and specialists in the field of homelessness have been advocating the development of "transitional housing." This would provide a stable environment for transitional stays of at least 60 to 120 days. Effective transitional housing would also provide support services to assist homeless people in locating permanent employment and housing, and addressing personal issues which may lead to their homeless condition. Transitional housing is seen as the primary means of returning

some of the homeless to a stable and productive environment and eventually reducing the substantial financial burden on the City resulting from a semi-permanent homeless population.

No substantial commitment has been made to the creation of transitional housing to date[9], despite a consensus among service providers that this should be a major priority. Public Advocates has stated that San Francisco ranks far behind other major cities in pursuing federal funds for these purposes.

The General Manager of DSS should be commended for developing the Modified Payment Program now being piloted by DSS. It is reducing housing costs by providing guaranteed rent payments to hotels in exchange for reduced rates. Rent payments are deducted by a contracted nonprofit agency from General Assistance payments. Program administration by a nonprofit may be financed by savings from room rate reductions.

Recommendations

7. The Department of Social Services should give high priority to the immediate implementation of a photo identification system for users of homeless hotel services.

8. The Mayor should direct the Social Services Commission to immediately develop a plan to curtail the existing Hotline Hotel Program, replacing it with appropriate transitional and long-term housing programs.

9. The Department of Social Services should significantly expand the Modified Payment Program while the Hotline Hotels continue to be used.

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[9]The Mayor's Budget for FY 1989-90 includes funding for transitional housing, a housing referral service and identification. It expresses the intention to move away from the hot-line hotel system.

IV. PERMANENT HOUSING

Findings

The homeless crisis is in large part driven by the housing crisis. It is therefore imperative that the Mayor and the Board of Supervisors act decisively to ensure that the most efficient use is made of available funding and facilities to keep people in their homes and move those on the streets into decent and appropriate living spaces.

Previous recommendations have addressed measures to prevent individuals and families from becoming trapped in the downward spiral of homelessness and to assist those characterized herein as disabled to achieve stabilization and the support required to re-enter the job and housing markets.

Over the next 5 years up to 4000 units of federally subsidized very low income housing may lose their subsidies. In addition, downtown residential hotel units continue to be converted to tourist use, thus further decreasing existing sources of very low income housing. As a consequence, that portion of homeless San Franciscans described above as derailed may be expected to grow.

In its 1989-90 budget the Department of Social Services has proposed spending $500,000 to rehabilitate federally-owned Housing Authority units for occupancy by the homeless. This proposal represents a sharp departure from traditional patterns of resource allocation where funds flow from the federal government to local government, not local to federal. Further, this proposal would pre-empt those eligible candidates already on Housing Authority waiting lists.

There are currently 450-500 Housing Authority units vacant with three year waiting lists for the remaining 6500 units. When vacant units are used as "crack houses," repair costs can be as much as $40,000 per unit. Housing repairs are hindered both by a lack of funding and negotiated restrictions on the types of labor that can be used for such rehabilitiation and repair. It is generally assumed that the Building Trades unions will oppose the repair and/or rehabilitation by prospective occupants or other volunteers. However, testimony given to the Grand Jury indicated that unions may be amenable to a program that would use different types of labor if they were asked to do so by the appropriate persons.

Joint participation of the labor unions, the Housing Authority, the Social Services Commission and the community is necessary to return vacant units to occupancy. By using the social service agencies with existing job skills training programs, such a joint effort could provide training to homeless persons at the same time it would help alleviate the housing crisis which contributes to homelessness.

Businesses, organizations and individuals have offered to provide materials for repair and rehabilitation. The City should take advantage of these offers in making their plans.

Recommendations

10. The Mayor should forge a partnership among the Housing Authority, the Social Services Commission, The Mayor's Office of Housing, the Mayor's Office of Community Development, labor unions and members of the business and volunteer communities to rehabilitate vacant Housing Authority units and return them to occupancy.

11. DSS funds should not be used to pay directly for repair or rehabilitation of Housing Authority units. They should be used to provide job and skills training for pre-homeless or homeless persons to participate in such rehabilitation.

12. DSS should not take any actions with respect to housing homeless people which would adversely affect eligible people on Housing Authority waiting lists.

HOMELESS AND RUNAWAY YOUTH

Background

In reviewing the programs for the homeless, the Civil Grand Jury elected to look into the problems of the homeless youth. Until recently the needs of homeless youth in San Francisco were not targeted by the Department of Social Services (DSS). Its programs are designed primarily to serve children and adolescents who still reside as a family unit. Emphasis is put on preserving the family unit or, if that is not possible, placing children in foster homes. Furthermore, under the former mayor's administration, DSS policy was to provide services only to youth whose county of origin was San Francisco.

In 1986 the State Attorney General ruled that DSS must serve out-of-county youth. While many of these youth would qualify for DSS services as victims of abuse and neglect, the department has been reluctant to accept referrals from community-based agencies serving homeless youth.

In 1987 a study of the DSS Family and Children's Services Division (FCSD) was released by the Child Welfare League of America (CWLA), a national standard-setting agency for the child welfare field. This study, which was ordered by the Mayor, presented its findings and recommendations on the San Francisco child welfare system. Much attention was given to Child Protective Services, Foster Home/Adoption Program, Therapeutic Foster Care and Children with Special Health Care Needs. The only mention of runaway and homeless children was in a questionnaire sent to community leaders. While many of those were aware of the homeless youth problems they nevertheless were ignored by the prestigious CWLA.

There are four community-based service providers who specifically target runaway and homeless youth. These four, who have formed a consortium called the Homeless Youth Network, are Larkin Street Youth Center, Central City Hospitality House, Huckleberry House and the Diamond Youth Center.

Contracts with these Network agencies have been under the Mayor's Criminal Justice Council, not the Department of Social Services.

Homeless youth are defined by the Mayor's Criminal Justice Council as:

> "any person under the age of eighteen years who is destitute, or who is not provided with the necessities of life, or who is not provided with a home or a suitable place of abode. Such youth include, but are not limited to, youth who are:
>
> - both males and females involved in prostitution or other street hustling in order to survive;
>
> - runaways who are at-risk of prostitution and drug involve-

ment, including both San Francisco and out-of-county youth;

- older teenagers who have failed in placement or who have been inappropriately placed in the foster care system and have fled from it;

- unaccompanied minors originating from outside the United States;

- minors who are 'pushed out' of their homes and have no permanent alternative."

Findings

There has been a lack of trust between the community-based service organizations and the DSS. The Network feels that the DSS "tries to work their system not change it." DSS staff admittedly is not equipped to deal with adolescents, and that "traditional foster care doesn't work with these kids: they run away again." While both DSS and the Network agree there is no duplication of services, they also agree there are "turf wars" between the staff and agencies because of DSS refusing to provide what the agencies want. The community-based agencies need State and Federal funds, and the most access to those funds is through the DSS.

At its May 25, 1989 meeting, the Social Services Commission accepted the contracts from the Mayor's Criminal Justice Council with Larkin Street Youth Center and Central City Hospitality House. The Commission also passed the following resolution:

> *"That the General Manager seek to initiate an interdepartmental planning process to consider implementation of Recommendation No. 7 of the Children's Budget Proposal of Coleman Advocates for Children and Youth (January, 1989), recently endorse by the San Francisco Board of Supervisors. The proposal calls for the establishment of a Teen Services Unit in the Family and Children's Services Division of the Department of Social Services, which would:*
>
> *(1) monitor contracts for homeless and troubled youth currently monitored by other City agencies such as the Mayor's Criminal Justice Commission (MCJC), the Mayor's Office for Community Development (OCD) and Juvenile Probation;*
>
> *(2) deliver direct services to youth currently provided by DSS through the dependency system and contracts now monitored by DSS; and*
>
> *(3) consider the outstationing of Probation Officers at DSS as part of the unit to file and follow up on 601 (status offender/incorrigible; runaway; truant) petitions.*

"The Planning process should include representatives of DSS, the Mayor's Office, MCJC, OCD, Juvenile Probation, Coleman, The Youth Emergency Services Coalition, and the Homeless Youth Network.

"The General Manager should report back to the Commission at its August 1989 meeting on the status of such planning.

"This motion is made with the understanding that the Commission, without endorsing the specifics of the Coleman Recommendation No. 7 until further consideration of its feasibility and cost implication, fully supports its underlying principle that services for troubled teenagers should be expanded and better coordinated and streamlined with DSS playing a central role in this process."

The Civil Grand Jury commends the Department of Social Services for taking these first steps to improve the relationship between DSS and the Network and to expand the role of DSS in providing services for homeless youth in San Francisco.

Recommendation

1. The Department of Social Services should implement Recommendation No. 7 of the Children's Budget Proposal of Coleman Advocates for Children and Youth (January, 1989) and immediately establish a Teen Services Unit within the Department's Family and Children's Services Division.

THE JAILS

Section 919(b) of the California State Penal Code provides: "The Grand Jury shall inquire into the condition and management of the public prisons within the county."

Background

San Francisco City and County Adult Detention System Facilities (the jails) are overcrowded and fail in certain areas to meet accepted institutional standards for housing inmates. These conditions result from years of apathy among public officials regarding the jails, followed by disagreement over the best way to deal with the problems and allocate limited resources. The 1978 lawsuit addressing jail conditions filed in Federal Court (Stone vs. the City and County of San Francisco) led to a Consent Decree in 1982, which was extended in June 1989 for at least six months.

The Consent Decree outlined standards to be maintained at Jail #1 (the 6th floor of the Hall of Justice). The standards addressed overcrowding; numbers of staff and special medical requirements, such as improved record keeping and psychiatric services; the condition of the facilities; provisions such as bedding, clothing and other necessities; and inmate access to the Courts, telephones and opportunities for recreation.

In the past few years the Sheriff's Department and the City Attorney's Office have made a serious attempt to comply with the Stone Consent Decree in order to have it terminated. The process has been closely monitored by a court-appointed Special Master who generally commends the City and County's efforts. However, a conflict has developed between factions representing antithetical points of view as to how to treat inmates and solve jail problems. Potential funding through State Propositions 52 and 86 acted as a catalyst for this debate, creating a target for differing ideologies and programs.

Proposition 52 required the establishment of a committee of representatives of the local justice system and the public to evaluate jail conditions and recommend a 20-year plan of action. The resulting Jail Policy and Planning Advisory Committee (JPPAC) commissioned a population and crime study of the City and County by the National Council on Crime and Delinquency (NCCD). The NCCD study was completed in 1988.

After scrutinizing jail problems and the possible solutions for two years, JPPAC submitted its own final report to the Board of Supervisors in mid-April 1989. Their exacting Major Needs Assessment and Master Plan include architectural studies and specifications for improving and constructing facilities. JPPAC recommendations include new construction and remodeling at the Hall of Justice to create a centralized booking facility and 200 beds for pre-arraignment detainees; a clinic, de-tox and medical facilities with 160 beds; an expanded Work Furlough facility and other additions.

The Board of Supervisors must debate and approve a jail plan and send it to the State Board of Corrections (BOC) for approval. Careful pre-construction planning is required to assure success and avoid unnecessary expenses. To comply with Proposition 52 funding requirements, the City and County must be under contract for construction and/or remodeling of facilities by September 1990. The planning process is many months behind schedule.[10] It was derailed in April when the Mayor's Criminal Justice Council (MCJC)[11] intervened and began to review the jail problem. This forestalled discussion of the JPPAC report by the Board of Supervisors, for whom it was intended.

I. THE FACILITIES

Findings

Based on the NCCD studies, other documented sources and the requirements of the Stone Consent Decree, there is an absolute need for additional jail space in the City and County of San Francisco. The crack cocaine epidemic has greatly intensified the crisis.

The jail problems are having serious effects on the entire criminal justice system. Law enforcement and the courts fulfill their mandates only to find the jails already up to or exceeding capacity. Early release, citation release and other programs attempt to balance the flow of inmates, but their value is questionable and the jails remain overcrowded. The Sheriff's authority to maintain release programs will end with the termination of the Consent Decree. At that point, the overcrowding could become completely unmanageable without additional jail space.

At present, almost no one convicted of a misdemeanor offense serves jail time. In order to accommodate new inmates the Sheriff is currently under a Federal Court Order to release inmates who have served 70% of their sentences. It is a cycle of irony and cynicism that undermines the sense of purpose of everyone involved in law enforcement. The continued use of citations, early release and Sheriff's parole cannot be extended endlessly without a cost to public safety and the maintenance of standards of equal justice.

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[10]The 1987-88 Civil Grand Jury stressed the need for timely action in June 1988. They made the recommendation that "The Board of Supervisors, the Sheriff's Office, the Jail Policy and Planning Advisory Committee and all other County agencies who have a role in the acquisition of Proposition 52 funding must immediately collaborate on, jointly-produce and adhere to a detailed project plan."

[11]The MCJC consists of chief representatives of city departments, the Courts, the Board of Supervisors and others, many of whom participated in JPPAC's exhaustive study of the issues.

In its visits to the jails and discussions with persons involved in the criminal justice system, the Grand Jury found many first-rate professionals at work. They must expend valuable time devising relocation or release systems, and rearranging or remodeling inadequate areas. This diverts their attention from other more productive tasks, such as educational and counseling programs. Commendable programs exist, but space and staff limitations hinder progress.

Current jail conditions impose security risks and hardships on the deputies, as well as the inmates. The noise level is overwhelming, day and night. Understaffing puts both staff and inmates in danger. The accepted industry standard ratio of staff to inmate is 1:3.11. The City and County of San Francisco average of 1:5.5 is misleading. Since the Stone Consent Decree requires a lower ratio at Jail #1 (6th Floor) and since Jail #2 (7th floor of Hall of Justice) houses high-security inmates requiring more personnel, the San Bruno deputies often function at a ratio in excess of 1:8.

An emergency resolution passed by the Mayor and the Board of Supervisors to avoid Federal Court contempt proceedings resulted in construction of a dormitory jail facility at San Bruno with a rated capacity of 300. This jail, opened in January, 1989, was housing 320 inmates by June. The potential security hazard of an overcrowded, understaffed dormitory is obvious. The San Bruno facility is an excellent example of how inferior results come from make-shift planning and procedures.

Mixed in with the criminal population are individuals more in need of treatment than incarceration. Efforts to provide for these special groups should not be dismissed simply because their impact on daily inmate population figures is not dramatic enough to solve jail overcrowding. A multifaceted problem requires more than one solution. Interdepartmental planning and funding from sources in addition to Propositions 52 and 86 are necessary to manage the criminal population. Intervention programs are needed for those now faced with jail who would be better served by medical, psychiatric or social services.

Recommendations

1. The Mayor and the Board of Supervisors should allocate sufficient funds to provide for the public safety and to assure that the jails meet accepted institutional standards to afford all persons in custody of the Sheriff adequate, clean and safe housing, and basic medical, psychiatric and social services.

2. There should be sufficient funding to lower staff to inmate ratios to conform with industry standards.

3. Persons in custody who have medical or psychiatric problems should be treated through services and facilities administered and funded by the Department of Public Health in cooperation with the Sheriff's Office.

4. The Police Department, the Office of the District Attorney, the Courts and the Sheriff should play the major role in assessing criminal justice planning and policy, since these are the agencies that must implement the State Penal Code.

II. TIMING AND THE JPPAC REPORT

Findings

The City and County stands to lose approximately $30 million if it fails to meet the strict content limitations or time-line requirements for Proposition 52 funding as established by the Board of Corrections. It would be extremely irresponsible to try to meet the BOC requirements through hurried compromise and the failure to develop the most effective plan for these uniquely available funds.

An attempt to define the ideological conflicts involved in the jail debate would certainly oversimplify them. There are two main factions. One holds that additional new jail space is a critical requirement to house existing and anticipated inmate populations. The other maintains that if inmates whose problems are medical, psychological or social (e.g., substance abusers, the mentally ill or a homeless person who becomes a public nuisance) were treated for these problems through non-jail facilities or programs, then jail overcrowding would be affected enough to alleviate the space problem. This and other concepts are hard to evaluate due to the lack of adequate statistics.

Despite the high caliber of many individuals involved with the detailed analysis of the problem, the Civil Grand Jury finds the procedure through which the City and County is attempting to resolve this debate and qualify for funding to be chaotic. The process since the JPPAC report was submitted to the Board of Supervisors in April fails to meet the lowest standards for ordered and competent decision-making.

Opposing sides have had sufficient time to present their arguments. A solid plan, scrutinized by budget analysts, is urgently needed. The MCJC's tardy and sporadic involvement in these discussions has halted progress toward earning BOC approval. The Council has met only twice in the last two months to consider these complicated issues and no further meetings are scheduled to date. Speculation that the BOC will grant an extension to the City and County in meeting deadlines for securing Proposition 52 funds is presumptuous based on the BOC's response to questions on that subject to date.

Time is a compelling factor in this debate. One JPPAC recommendation supported by most law enforcement officials required the acquisition of a building next to the Hall of Justice, possibly through eminent domain. That undertaking is now virtually impossible, not necessarily because the

responsible parties objected to it, but because there now isn't enough time to complete the acquisition process. This is government by default.

Recommendations

5. The President of the Board of Supervisors should calendar the JPPAC report and recommendations for public hearing immediately. Discussion should begin with a clear statement of the intent behind Propositions 52 and 86, and a review given of the limitations on the types of facilities and services for which the funds can be used.

6. Propositions 52 and 86 represent over $40 million in available funds to the City and County. These funds should be used for one significant and affordable plan that results in more bed space, as JPPAC recommends.

III. AIDS AND THE JAILS

Findings

Sexual activity in jail is both a felony and a reality. The scope and virulence of the AIDS epidemic is widely understood. Among the overwhelming numbers of inmates who are intravenous drug users and among those who are homosexual, the percentage of those positive for HIV or AIDS will be high, although inmates are not tested even when they ask to be. Acknowledged homosexuals are kept in separate areas; the Grand Jury found 85 homosexual inmates crowded into a tier of 50 cells in Jail #3.

As long as the AIDS crisis exists, public health officials must take extraordinary measures to protect the public. Health Department planners have considered invoking emergency public health care procedures to begin a policy of dispensing condoms to inmates in conjunction with educational and counseling services.

Records indicate that Public Health and Sheriff's Department inquiries about the proposed policy of dispensing condoms began in January 1987. More than two and a half years later, implementation of this important program remains locked in legal ambiguity awaiting assurances that providers of condoms to inmates will not be charged with aiding and abetting a felony.

To deny inmates condoms raises other legal questions for the Sheriff, who is charged with the safety of persons in his custody, as noted by the City Attorney in a December 30, 1987 request that the Attorney General issue an opinion on this question. On July 1, 1988 the Attorney General referred the question back to local authority, adding "if assurance is what the sheriff seeks it is suggested that legislation authorizing the practice would be the

best method of obtaining it." Eight months later, the Sheriff finally asked the San Francisco District Attorney if he would view the dispensing of condoms to certain inmates as a violation of law. A second query on this matter from the Sheriff to the District Attorney dated April 5, 1989 remains, along with the first, unanswered.

Concern for the moral and legal implications raised by such a program are not to be dismissed. Nevertheless the chances of an inmate contracting this deadly disease during incarceration, as well as transmitting it to others following the inmate's release, are real. The issue of AIDS is being dealt with openly throughout society. There can be no excuse for allowing the issue to continue unresolved in the jails.

Recommendation[12]

7. The Mayor, Board of Supervisors, Sheriff, Director of Public Health and other interested parties should lobby the state legislature to amend pertinent legal statutes to exempt providers of condoms to inmates from prosecution for aiding and abetting a crime.

[12]One member of the 1988-89 Civil Grand Jury dissented from this vote and wished to be recorded as having done so.

PUBLIC DEFENDER'S OFFICE[13]

Background

The Sixth Amendment to the Constitution guarantees criminal defendants the right to legal counsel. The Supreme Court of the United States has interpreted this to mean that federal, state and local governments must provide legal counsel for those criminal defendants unable to afford counsel. In San Francisco the Office of the Public Defender provides representation to these defendants.

In San Francisco the Public Defender is elected and is responsible for the overall organization and management of the Office of the Public Defender. All other Public Defenders in California, and most in the nation, are appointed.

The Public Defender hires all professional personnel for the Office. The support staff is Civil Service.

The Public Defender appoints the Chief Attorney, who serves as his assistant. It is the Chief Attorney who administers the day-to-day operation of the department, recommends policy and office procedures, supervises and coordinates the several Unit Managers, is operational head of the department in the absence of the Public Defender, investigates and reports upon all complaints against personnel of the department, and performs other duties as assigned by the Public Defender.

Under the Chief Attorney are Head Attorneys who are directly responsible for the divisions within the office (Misdemeanor Unit, Felony Unit, Mental Health Unit, Juvenile Unit, Research Unit and Investigative Unit). There is an Administrative Unit that is supervised by the Executive Assistant, who also functions as confidential personal secretary to the Public Defender and the Chief Attorney. The Public Defender is authorized sixty-six attorneys, twelve investigators, one executive assistant and twenty-two support positions.

The Public Defender's Office is located in a building that is leased by the City and County of San Francisco in close proximity to the Hall of Justice, where the criminal courts are located. The Office utilizes the Court Management System, a computer system located at the Hall of Justice. Word processing is done through the City and County's Wang system. There are also several independent personal computers within the office.

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[13]This portion of the 1988-89 Civil Grand Jury Report was made public as an Interim Report on May 16, 1989. It was adopted for inclusion in the Final Report in its original form with the exception of Recommendation #25, which has been changed.

The 1988-89 Civil Grand Jury reviewed the Public Defender's Office focusing on the following areas:

I. OPERATIONS AND MANAGEMENT
   - A. General Management
   - B. Investigative Unit
   - C. Research Unit

II. PERSONNEL
   - A. Hiring
   - B. Promotions
   - C. Disciplinary Action

III. TRAINING AND EDUCATION

IV. CASELOAD MANAGEMENT

I. OPERATIONS AND MANAGEMENT

A. General Management

Findings

1. Hours

Operation of the Public Defender's Office is guided by the "Manual of Policies and Procedures," authored by the incumbent, printed 4/1/87. The Manual states that "attorney personnel shall maintain office hours beginning at 8:30am, one hour for lunch, and terminating no earlier than 5:00pm, or as much later as may be required to complete caseload assignments of the attorney, including non-courtroom days." However, many choose to work evenings and weekends instead of regular office hours. In addition, some testimony indicated that work other than that assigned takes place within the office during the required daytime hours.

The Public Defender is often absent from the office to promote outside interest in his office and to propose and speak on pending legislation affecting his duties. Other staff have outside activities which at times conflict with stated office hours. The Chief Attorney teaches a class in criminal procedure at Hastings Law School from 11:40 to 1:30 two days a week. He has taught there since 1981. The Chief Attorney is currently the president of the San Francisco Bar Association.

2. Organization

With the exception of the Administrative Unit, all units in the Office are managed by a Head Attorney (all of whom earn in excess of $80,000)

regardless of the unit's size or function. The workload is divided along these unit lines and assignment is as follows:

Unit	Number of Deputies	Number of Supervising Head Attorneys
Misdemeanor	17	2
Felony	34	2
Juvenile	7	1
Mental Health	2	1
Investigation	0	1
Research	0	1

The Chief Attorney determines assignment to the units. Testimony indicates that assignments are sometimes arbitrary and may be used for disciplinary reasons. Unit managers do not always participate in or supervise the work in their respective areas. Less experienced attorneys need the support and guidance of supervisors and peers. Group discussions within the office have been discouraged.

Recommendations

1. The Public Defender should enforce the office hours as stated in the Manual.

2. The Public Defender should determine the cost effectiveness and need for the use of Head Attorneys as supervisors of each unit.

3. The Public Defender should encourage attorneys to participate in group discussions relating to their cases.

B. Investigative Unit

Findings

The Investigative Unit consists of twelve investigators, currently supervised by a Head Attorney whose primary experience has not been as on investigator. The present Chief Investigator also supervises building security, and is responsible for expungements and the Court Management System, including the budget. The Head Attorney uses his own discretion in evaluating the requests from attorneys for investigative support. There is no appeal from his decisions, even though inadequate investigation may adversely impact an attorney's case in court.

Recommendations

4. The Public Defender should appoint the most skilled investigator to be Chief of the Investigative Unit, and not necessarily an attorney.

5. The Public Defender should ensure that the Investigative Unit serves the needs of the defense attorneys by complying with the requests of the attorneys.

C. Research Unit

Findings

The Research Unit consists of a Head Trial Attorney and two assistants. It is responsible for the maintenance of the library, the collection of legal writings, the maintenance and expansion of the brief bank, the preparation and distribution of training materials for attorney personnel and the coordination and technical supervision of the volunteer law students and the collection of jury data. The Grand Jury found that many of these responsibilities have not been met.

Several witnesses testified that if the Head of Research was not in the office there was no access to needed materials. The Research Unit is locked evenings and weekends even though attorneys frequently work those hours. In a letter to the Grand Jury, the Public Defender stated that ,

> "...There is a smaller group of briefs that are housed next to the library in the computer room. The room is locked at night and on the weekends for security reasons. But arrangements can be made to accommodate a person's immediate need. My home and that of the supervising Head Attorney are additionally listed."

In addition, there is no systematic storage of exhibits that have been prepared been and could be reused in whole or part, or serve as a guide for the preparation of a new exhibit.

It is the responsibility of the Research Unit to supervise volunteer law students; frequently there were no law students to supervise. The office has no program to recruit law students or law clerks. Any attorney wanting a legal assistant must recruit this help on his/her own. Law clerks are an excellent pool of prospective deputies.

Recommendations

6. The Public Defender should ensure that his staff has full access to all research files, taking into consideration weekend and evening hours when attorneys perform their own research. Keys to the research area should be given to all attorneys.

7. The Research Unit should establish a method for maintaining, cataloguing and storing reuseable exhibits for access by attorneys.

8. The Public Defender should establish and maintain a formal program to recruit and utilize law clerks, students and extern/interns to relieve the individual attorneys of this personnel function.

II. PERSONNEL

A. Hiring

Findings

Approximately thirty attorney positions became vacant during the years 1987 and 1988, a 44% turnover. When such vacancies occur, advertisements are placed in local legal publications. A representative ad showed no statement of required experience or qualifications. Necessary membership in the California Bar was not mentioned.

Prospective employees' resumes are reviewed by the Public Defender and Chief Attorney. After screening, finalists are scheduled for a first interview conducted by a committee. The composition of the committee depends on who is in the office at the time; membership is indeterminate and unorganized. One interviewee may face a few attorneys in the first interview, another may face many.

Interviews consist of general legal questions, hypothetical case situations (written and oral), personal background, interests and experience. Successful applicants return for further interview(s) with the Public Defender and Chief Attorney, who make the final decision.

Recommendations

9. The Public Defender should state what minimum qualifications are required in all solicitations for employment.

10. The Public Defender should include benefits and a job description in every ad. The advertisement should be comparable

to the other ads that appear in local legal publications, bar journals and legal placement publications.

11. The Public Defender should name a hiring committee whose members consist of a designated number of experienced senior staff. The hiring committee and other interviewers should be trained in personnel interviewing.

B. Promotions

Findings

The Public Defender states his policy for promotion as:

> "A. Demonstrated proficient performance,
> B. Professional growth,
> C. Ability to accept assignments of a more complex character."

However,

> "the decision to promote is a matter of discretion. ...The decision to promote is a matter of discretion by me, but it is a matter of guided discretion whereby I have the evaluation of the employee, statistical information about the employee's work, and the recommendation of the supervisor."

Within the Public Defender's Office, long-term professional employees who have expressed interest in promotion testified that such promotions are often awarded to less experienced attorneys. Certain promotions require the California State Bar certification as a Criminal Law Specialist. However, these positions have been known to be filled by attorneys who did not have certification at the time of the appointment. The Public Defender's discretion is often exercised arbitrarily.

Recommendations

12. The Public Defender should state specific qualifications for promotion and these should be well-known and be consistently applied

13. The Public Defender should comply with his stated policy that promotional opportunities requiring Criminal Law Specialist certification will open only to those so certified.

14. The Public Defender should make certain that persons eligible for promotion, and not selected, be advised as to the reasons.

C. Disciplinary Action

Findings

The "Manual of Policies and Procedures" of the Office of the Public Defender, Chapter XXVI states:

> "Any disciplinary Action will be governed by these rules and procedures and those of the Civil Service Commission.
>
> DISCIPLINE - IMPARTIAL HEARING. No employee shall suffer any disciplinary action except after being given the opportunity for an impartial hearing.
>
> DISCIPLINE - COUNSELING. For minor matters or at the discretion of the employee's supervisor in more serious matters, the employee shall be counseled by the supervisor relative to the error or omission, and the discipline may take the form of an oral reprimand, written reprimand, or re-assignment of job functions. (Section 263)

The Public Defender states that his policy in relation to termination is:

> "A. Malfeasance - clear proof of willful misconduct;
> B. Serious Malfeasance - clear proof that an error or omission of a very serious nature;
> C. Lack of Competence - a demonstrated pattern of inability to handle cases in a competent manner."

He adds:

> "The list of examples of misfeasances, malfeasance, and the standards of minimum competence are set forth in the office manual. The list is not necessarily exhaustive, but it is sufficiently descriptive."

After interviews with present and former employees of the Public Defender's Office, the Grand Jury has found that the stated termination policies are not observed.

No one interviewed was aware of any consistent termination policy; it was stated to the Jury that attorneys are "here one day and gone the next without explanation." Staff morale suffers because termination policies are not followed. In addition, clients have to adjust to a new attorney who is unfamiliar with the specific case. This adds to courtroom delays and potentially flawed representation of the clients involved.

Recommendations

15. The Public Defender should write the disciplinary portions of the operations and procedures manual so that they are specific, particularly as they relate to professional standards. The Public Defender should enforce the standards that he has set.

16. The Public Defender should develop grievance procedures, and implement those procedures on a firm and regular basis.

III. TRAINING AND EDUCATION

Findings

Attorneys appointed by the Public Defender begin their service in court immediately upon being hired. There is no orientation, training or other initiation to the Office other than reading the "Manual of Policies and Procedures" and the "Misdemeanor Practice and Policy Manual" and going to court. This courtroom "trial by fire" is the usual beginning for a Deputy San Francisco Public Defender.

Inexperienced attorneys and attorneys new to San Francisco first appear in court unprepared for the pace of San Francisco Municipal Court calendars. Supervision is minimal, and at times lacking. There is no consistent training program.

Although there is office policy that states that there are weekly or bi-weekly training sessions, both the Public Defender and the Chief Attorney have stated that job pressures preclude such training. The Annual Report shows no budget allocations for supplemental education. There is no mention of special training or education for those assigned to the Mental Health or Juvenile Divisions.

Recommendations

17. The Public Defender should establish an orientation program to train newly hired staff in courtroom procedures.

18. Appropriate supervisory personnel should evaluate newly hired Deputy Public Defenders for a given period of time to make sure they are following accepted procedures and practices.

19. The Public Defender should conduct regular and continuing training for all deputies.

IV. CASELOAD MANAGEMENT

Findings

The Public Defender has declared in the Annual Report, the press and elsewhere an inability to provide representation in the Municipal Courts because of an influx of new narcotics cases. He states that his attorneys have had a significant increase in their workload. However, the statistics from the Public Defender's 1987-88 "Annual Report" show that total caseloads have not changed significantly over the last nine years. The total number of cases reported increased only from 22,825 to 22,975. Felony cases went from 5,329 to 5,739. Other areas declined.

The major area of workload increase has been in the Mental Health Unit where cases doubled while the staff decreased. Juvenile cases have risen 50%, also accompanied by a staff reduction.

If, as reported, only three attorneys were assigned to the 5,082 mental health cases in 1987-88, the situation is not only unmanageable, but intolerable.

The caseload in general varies according to the courtroom where assignments are made. Supervisory personnel often take no role in adjusting differentials in caseloads and seldom appear in Municipal Court to help with these discrepancies. This situation seemed to exist in Superior Court as well.

The increases and decreases in the Public Defender's budget do not reflect the stated workload. Changes from the 1987-88 budget to the 1988-89 budget are as follows:

Unit	Increase/Decrease
Support Services	-13.4%
Felony	-10.6%
Research	+9.6%
Misdemeanor	+11.9%
Investigations	+12.1%
Executive Officers	+29.7%

The significant turnover of attorneys in the Public Defender's Office has taken a toll particularly of attorneys with experience in capital cases. The Grand Jury has been told that this turnover has affected the capability of the Office to represent adequately defendants in capital cases.

Recommendations

20. The Public Defender should represent the workload of each attorney, as well as the entire department, in the Annual Report accurately. He should use the same system for reporting as that used by the court so that statistics can be cross-referenced and verified.

21. The Public Defender should conduct an internal review of the Mental Health Unit to determine if the needs of the clients are being met. He should consider an alternative system for handling non-criminal clients.

22. The Public Defender should make every effort to ensure that the Head Attorneys review and oversee the workload of those they supervise.

23. The Public Defender should make sure that supervisory attorneys are visible and accessible to the courts for which they are responsible,

24. The Public Defender should make a serious effort to develop a consistent and experienced capital defense team, with consideration of incorporating private attorneys into the team.

Summary Finding

Taken as a whole, the findings of the Civil Grand Jury speak to the need for attention to all areas of management in the Public Defender's Office. The Grand Jury concluded that further investigation is necessary to determine if present management practices are affecting the overall performance of the Office.

Recommendation

25. The Controller should conduct a comprehensive audit of the Public Defender's Office with the goal of determining whether performance is being hindered by management practices within the Office.

OVERSIGHT COMMITTEE OF THE BOARD OF SUPERVISORS

Findings

The Board of Supervisors enacts legislation and approves funding for City departments. Aside from reducing items when the Mayor presents the Board with the budget, or refusing to grant supplemental budget requests by the departments, the Board is prohibited by Charter from interfering in, much less directing, City departments.

However, the Charter does provide the Board with a specific power of inquiry. This allows the Board to hold public hearings to review the audits made of the City departments. An opportunity is thus created for the effective dissemination of information to the Board and to the public at large.

While an occasional hearing may be held by the supervisors at a full Board meeting, most hearings are held at the committee level.

For a period of time there were as many committees as there were supervisors. This allowed each supervisor the political advantage of being a Chair. Under a reorganization instituted by the previous Board president, the number of committees was reduced and an Oversight Committee was formed. Its purpose was to review:

> "management audits and performance audits performed by the Budget Analyst, the Controller's Internal Audits Division, and by other agencies, and by the reports of the Civil Grand Jury."

Items are assigned to committees by the Board president upon request for referral by a member of the Board in its full session. While committees schedule a regular monthly time for their meetings, the Chair of the committee determines whether the meeting will be held, and which of the pending items will be calendared.

There were great difficulties during the first year of operation of the Oversight Committee. Its members were appointed on an issue-by-issue basis. This created serious problems for the committee Chair. As a result, the format was changed from floating to fixed membership in the hopes that the committee would be able to meet in a more consistent fashion. The supervisor first assigned to chair the committee still holds that position. He assured the present Board president that he would act diligently in that position.

The committee has had a history of irregular meetings, There were no meetings from July 1988 through the middle of May 1989. There has been a flurry of meetings scheduled since then, in obvious response to the Grand Jury's interest. Some have had to be rescheduled several times.

According to the rules of order of the Board, items not dealt with in committee within a five-month period become moot and must be resubmitted by the Board. This can be overlooked at the discretion of the Clerk of the Board or by Board members. There are about twelve items pending before the Oversight Committee.

Several completed audits, as well as the Civil Grand Jury Report of 1987-88, have not been addressed by the Committee. One of the most important matters unaddressed, a critical audit of the Department of City Planning, was submitted to the Board of Supervisors on 12/19/88. The supervisor who requested the audit 3 1/2 years ago has asked that the audit not be scheduled for a hearing until an audit of the Bureau of Building Inspection is completed. In the meantime, effective public discussion on an issue of prime importance to the City has been curtailed.[14]

The Chair of the Oversight Committee has stated that he does not consider this committee a high priority. He said that people rarely pay attention and the power of inquiry is effective only when they do so. Jury members were also told that the effectiveness of the committee is hampered by the lack of trained support staff for the committees of the Board.

A key responsibility of the Board of Supervisors is being left unattended. The power of inquiry, particularly as it concerns audit and Civil Grand Jury Reports, can be a powerful tool for the maintenance of San Francisco as a well run and fiscally responsible city.

The full Board must take responsibility for its failure to engage in its oversight function and for the fact that those charged with the oversight function have not been urged to pursue their duties.

Recommendations

1. The Board of Supervisors should evaluate the effectiveness of the Oversight Committee.

2. After the evaluation by the Board, the Board president should assign to the committee supervisors who want to make the committee work, or disband the committee and assign its duties to other committees.

[14]At a meeting of the Oversight Committee on June 2, the City Planning audit was scheduled, but was removed from the calendar at the meeting, even though there were people present who had come for that item.

REAL ESTATE

I. CIVIC CENTER LEASED OFFICE

Findings

Since the 1906 the City has looked to private property owners as a source of meeting the office space needs for City and County government. The reasons have been political in nature. It took two bond isues to rebuild the present City Hall. The inability of City and County officials to acquire new needed City-owned office space has resulted over the years in poor working conditions and excessive lease/rental costs to the taxpayers.

Today over 240,000 square feet of space are leased in the Civic Center Plaza Area by the City. It has been projected that this will increase over the coming years. It is now time to plan office requirements for immediate needs and those of the next century.

The table on the following page lists existing office space in the Civic Center Plaza area leased by the City from private owners, and the annual rent paid on such space This is over and above approximately 400,000 square feet of City-owned space that includes City Hall, 450 McAllister, the Public Health Building and others.

CITY LEASED OFFICE SPACE
CIVIC CENTER AREA

LOCATION/DEPARTMENT	SQUARE FEET LEASED	ANNUAL RENT
170 Fell Street		
Delinquency Prevention	875	$ 6,480
Controller	2,000	14,532
Board of Supervisors	875	6,480
Rent Arbitration Board	2,637	19,608
Public Health	1,956	15,252
Retirement Board	1,220	5,268
1380 Howard Street		
Public Health	59,393	657,882
1049 Market Street		
Police	1,973	27,228
1095 Market Street		
Human Rights Commission	5,232	71,316
1155 Market Street		
Public Utilities Commission	49,866	719,844
Retirement Board	11,980	300,540
1182 Market Street		
Telecommunications	629	6,780
Public Health	6,024	5,373
1212 Market Street		
Controller	5,779	65,232
Health Service System	7,346	91,728
1244 Market Street		
Office of Community Dev.	1,664	21,960
1390 Market Street		
City Attorney	16,438	218,952
414 Mason Street		
Public Utilities Commission	5,855	88,440
100 McAllister Street		
Controller	4,525	84,096
Public Utilities Commission	1,000	15,000
160 S. Van Ness Avenue		
Controller	15,000	110,424
25 Van Ness Avenue		
Parking Authority	1,357	34,764
Real Estate	3,748	95,964
Commission on Aging	4,023	103,008
Public Health	17,300	278,016
Public Administrator	5,825	87,360
646 Van Ness Avenue	8,421	130,680
TOTAL	242,941	$3,282,207

The City is currently spending approximately three million three hundred thousand dollars ($3,300,000) per year in the Civic Center area for rentals and short and medium term leases.

The Real Estate Department has sought to acquire by purchase several locations in the past few years, any of which, in hindsight, would have been most advantageous to the City. Now the Real Estate Department has found a building at 1155 Market Street for sale. The Real Estate Department has suggested that the building be acquired by the Public Utilities Commission, which presently occupies about half the building

The Board of Supervisors approved on June 7, 1989 a $100,000 request to determine the feasibility of acquiring this Market Street property. The funds will be used to obtain bond counsel, independent appraisal of the value, and building assessment including mechanical, structural, electrical and life safety.

The acquisition of existing space within the Civic Center Plaza area is feasible and economic in today's market. Buildings are available at less than replacement values because of high vacancy rates that exist in the downtown, middle Market Street and South of Market areas. Predictably this will change in the future and Civic Center rents will increase. The City then will be faced with the payment of much higher rentals.

Future rents versus current City money costs are significant factors in a lease/purchase analysis. Loss of property taxes and maintenance costs are valid objections. However, the uncertainty of future rental rates remains the most important reason for City ownership.

Solutions are available, and now is the time to exercise leadership in this matter. Historically capital projects have been advantageous for the City and office space should be considered a good investment.

Building a new facility as an alternative is fraught with politics, hazards, long delays and ever-spiraling inflationary costs.

This recommendation of buying an existing building does not preclude a "New City Office Building," but acquisition of an existing building provides immediately needed space now and the possibility of reselling any temporary building in the future at a profit.

Recommendation

1. The Board of Supervisors should carry through the feasibility study of the purchase of 1155 Market Street. If the results are favorable, the City should move with dispatch to purchase the building.

II SPACE NEEDS FOR EMPLOYEES

Findings

City employment has increased over the past years and will continue to increase in the future. The Planning Department prepared the following table in an attempt to assess future office space needs:

CIVIC CENTER
ESTIMATED FUTURE OFFICE SPACE NEEDS

DEPARTMENT	NET PRESENT SPACE SQUARE FEET	NET FUTURE SPACE SQUARE FEET
Board of Supervisors	8,554	10,500
Chambers & Meeting Rooms	5,571	5,571
Telecommunications Comm.	629	900
Delinquency Prevention Comm.	875	700
Assessor	14,349	22,200
City Attorney	28,349	36.600
Sheriff	4,917	*
Treasurer	12,110	12,650
Tax Collector	15,830	21,000
Controller	80,258	111,380
Superior Court	42,363	*
Municipal Court	11,626	*
County Clerk	17,438	*
Mayor	20,828	25,050
Commission on Aging	4,023	4,550
Art Commission	1,908	4,100
City Planning	17,359	22,000
Civil Service	27,676	25,200
Health Service System	5,771	6,600
Human Rights Commission	4,689	6,150
Parking Authority	1,357	1,000
Permit Appeals	890	1,000
Public Utilities Commission	106,504	139,700
Retirement Board	15,870	15,300
Commission on Status of Women	543	1,400
Law Library	13,349	*
Rent Arbitration Board	2,637	4,750
Chief Administrative Officer	6,114	6,000
Real Estate	4,448	5,430
Press Rooms & Meeting Rooms	3,666	6,000
Cafeteria	1,465	6,000
Fitness Center	-	5,000
Child Care Center	-	3,000
Recorder	9,348	5,300
Public Administrator	6,016	7,250
Registrar	16,373	16,400

Public Health	68,394	103,217
Public Works	85,504	120,500
Purchasing	15,489	21,050
Clean Water Program	16,627	17,500
TOTAL	699,708	800,948

* Assumes department will be re-located to a new court building.
Source: Civic Center Proposal, November 1987, San Francisco Department of City Planning.

Departments are literally full of people. Workspace limitations can easily affect their productivity. Many of the City Hall offices and those at 450 McAllister are obviously crowded and appear unbusinesslike to the outside observer. With average City salaries near $30,000 per annum it is false economy not to provide proper facilities, workspace and furnishings. Good employees need adequate space and equipment in order to fulfill their responsibilities. Good management practices require that all tools for the job be available, and proper workspace is an important tool.

Specifically, a new authorization for a full-time secretary, without provision of space, a desk, filing cabinet and word processing equipment, is poor business practice. It lowers productivity and increases City expenses disproportionately.

The Jury recommends that all new employee authorizations contain an Employee Impact Statement (EIS) detailing the availability or need for additional facilities, furniture or special equipment.

Standards are a prerequisite for good planning and good management.

We recommend that Office Space Analysis and Standards be prepared by the Planning and Architecture Departments to determine minimum space requirements that reflect modern office technology's reliance on.computers, graphic equipment and efficient storage facilities.

Recommendations

2. The Chief Administrative Officer, the Mayor and the Board of Supervisors should require that all new employee authorizations include an Employee Impact Statement detailing the need and availability of office space, furniture and equipment consistent with the position requirements.

3. The Planning and Architecture Departments should establish Office and Space Standards to describe minimum office space requirements.

PERSONS APPEARING BEFORE THE CIVIL GRAND JURY

The Grand Jury wishes to thank the following officials and private citizens who gave their valuable time to the Jury at its Monday night sessions. They educated the Jury about City government, posed provocative questions and, in general, were very generous in response to numerous queries by a most intellectually curious group of people. The names of those interviewed by the Jury or committees of the Jury in singular pursuit of information on the report areas are not listed because of the McClatchy ruling, discussed in the transmittal letter to Judge Hanlon.

Art Agnos	Mayor of San Francisco
Don J. Birrer	Consultant to the SFUSD
Richard Boyce	Bain & Company
Thad Brown,	Tax Collector
Richard Sullivan	Deputy Tax Administrator
William Quong	Chief, Bureau of Delinquency
T. J. Wortham	Chief Investigative Division
Robert Fletcher	Attorney for the Tax Collector
James Cooney	General Manager, SF Water Department
Ramon Cortines	Superintendent of Schools, SFUSD
John Farrell	Controller
Daniel M. Hanlon	Presiding Judge, Superior Court
Edward N. Helfeld	Executive Director, SF Redevelopment Agency
John Jacobs	Executive Director, SF Chamber of Commerce
Walter Johnson	San Francisco Labor Council
Frank Jordan	Chief of Police
Julia Lopez	General Manager, Department of Social Services
Michael McGill	Executive Director, SPUR
Henry Nanjo	Director of Systems and Data Processing
Rudy Nothenberg	Chief Administrative Officer
Bruce Olson	Exec. Director, American Grand Jury Foundation

Dr. Thomas Peters	San Francisco Health Department
Larry Meredith	Chief of Accounting, Health Department
Louise Renne	City Attorney
Dennis Aftergut	Chief Deputy City Attorney
Miriam Morley	Deputy City Attorney
Harvey Rose	Budget Analyst for the Board of Supervisors
Barbara Smith	Director of the Mayor's Office of Housing
William Stead	General Manager of MUNI
Michael Tamony	Jury Commissioners' Office
Nancy Walker	President (at the time), Board of Supervisors
Samuel Yockey	once as Deputy Mayor of Budget and Finance once as Controller

RESPONSES TO RECOMMENDATIONS OF THE 1987-88 CIVIL GRAND JURY

BACKGROUND

The Committee monitored the action taken by the city departments that were the subject of the 1987-88 Civil Grand Jury Reports. They were Civil Service, Hetch Hetchy Power, Department of Public Health, Department of Public Works. Purchasing Department, Department of Social Service, Mayor's Citizens Assistance Center, The Jails, Public Administrator and Public Housing security. The recommendations as they appear below have been shortened for the sake of brevity.

CIVIL SERVICE

Recommendation 1. The Civil Service Commission should propose, and the Mayor include in his budget, a program and computer capacity that would provide accurate information on the number of positions that are filled in the City work force.

Response 1. The Controller implemented a position control and exception audit system. A complete coordinated payroll and personnel system has yet to be developed and used.

Recommendation 2. The Civil Service Commission should:

a. advertise entry-level positions...
b. visit campuses...
c. recruit for promotional jobs...

Response 2. Funding and staff is not available to do this. However, the EEO Unit targets recruitment of women and minorities. User departments are invited to share in recruitment efforts because they have the expertise necessary to identify candidates. Outside recruitment for promotional jobs is resisted by the department. They express the need for more career development and training to prepare those people within the system for promotions.

Recommendation 3. The City should change the Charter to allow the Civil Service Commission to;

a. cancel lists...
b. make additions to lists...
c. purge lists...
d. fit duration of list to demand for job...

Response 3. These are all changes supported by the Civil Service staff. To be changed they require political support, which has not yet surfaced.

Recommendation 4. The Civil Service Commission should use standardized tests for entry level positions.

Response 4. Funds were completely eliminated in the 1988-89 budget to develop or but standardized tests. The Mayor's Office sees them as unfair, and point out that they are precluded by several federal consent decrees that mandate job related exams.

Recommendation 5. The Civil Service Commission should change the protest procedures to allow filling positions in a timely manner.

Response 5. A meet and confer process has been introduced to aid in the hearing procedures on examination issues. The staff has recommended other changes that have not been adopted.

Recommendation 6. The Civil Service Commission should pay particular attention to needs of small departments, including allowing broader job descriptions and flexibility in use of staff.

Response 6. Lack of funding stands in the way of pooling resources and creating a personnel staff for the small departments. The Assistant Secretary's Office provides some of these services. Training has started on a scheduled basis rather than "as-needed."..Despite the fact that smaller departments have traditionally wanted narrow job descriptions, Civil Service will continue to recommend to departments city-wide the advantages of broader job classifications.

Recommendation 7. The Civil Service Commission, the Mayor and the Board of Supervisors should support the Management Training Unit...

Response 7. Emphasis on management training came from the Mayor's Fiscal Advisory Committee after the passage of Prop, 13. However, the budget shortfall has cut the staff from five to three. The Central Manage- ment Training Fund has become voluntary rather than mandatory, cutting funding from that source by 1/3. Staff wants very much to stabilize funding and have a second training place. Support is not forthcoming from the Mayor and the Board of Supervisors.

Recommendation 8. Managers should be held accountable for the evaluation of those they supervise.

Response 8. Civil Service staff respond that "there is no current Charter mechanism whereby the Commission can interject itself into the administrative affairs of another city department." Under the current system, each department is responsible for its own performance appraisal.

Recommendation 9 On-the-job-training should be designed and implemented for use in areas where evaluations reveal insufficient performance on the part of permanent emplyees.

Response 9. On-the-job-training has to be provided by each department, says Civil Service staff. Present management training does not include

training non-managers in technical, job-specific skills. Money and interest will be necessary for department managers to do this.

Recommendation 10. Promotions should be based on exams, performance, seniority and merit.

Response 10. Almost all exams are offered on an open basis. There is little performance information on those coming from outside. There is currently a flexible staffing program that allows new employees to promote from trainee to journey-level based on their supervisor's rating of their probationary employment. Other jurisdictions give this concept a broader application. The Mayor expressed his personal bias against performance evaluations for promotions.

Recommendation 11. The City should provide opportunity for rewards for productivity...

Response 11. Staff responds that rewards such as bonuses are precluded by the City Charter. The Mayor felt this was an excellent recommendation.

Recommendation 12. The Civil Service Commission should not permit overtime pay to "Z" employees unless the overtime was incurred as a result of a declared emergency.

Response 12. Contracting elimination is a major priority of the Mayor's Office. The Controller's Office now informs staff that requests for overtime pay for "Z" class employees must receive the approval of the Mayor's Office.

Recommendation 13. The Civil Service Commission should monitor very carefully the use of overtime and contracting-out.

Response 13. The Mayor's Office says that it is aggressively attempting to limit personal service contracts. A labor relations specialist has ben added to the Mayor's staff to help in this process.

Recommendation 14. The City should prohibit compensation for more than one year's accumulated sick-leave...upon an employee's retirement.

Response 14. A 1978 Charter amendment restricted sick leave payouts to new employees. Any further restrictions will take Charter changes and negotiations with city employee unions. This is not likely to happen.

Reommendation 15. The Mayor should appoint a broad-based committee to study the alternative to salary standardization.

Response 15. This is unlikely to happen in the near future.

HETCH HETCHY POWER

Recommendation 1. A study should be made to determine whether municipalization of power for the city of San Francisco is economically sound...

Response 1. The 1987-88 Civil Grand Jury was interested in a study in order to resolve some of the issues that have been raised in connection with drives to municipalize Hetch Hetchy power. The PUC has supported the study by requesting funds in last year's budget . This was supported by the Mayor, but the funds were removed by the Board of Supervisors Finance Committee. $150,000 has been included in the FY 1989-90 budget by the PUC and the Mayor for such a study. It is now up the Board of Supervisors.to approve that request.

Recommendation 2. There should be an amendment to the City Charter...requiring approval by the Board of Supervisors for contracts, revenue or purchasing, in excess of one million dollars.

Response 2. This was placed on the ballot and passed by the voters in November 1988.

DEPARTMENT OF PUBLIC HEALTH

Recommendations 1., 2 & 3. Recommendations deal with giving a high priority to educating the community about AIDS, obtaining more state and federal funds, increasing law enforcement pressure on narcotics dealers and users and the establishment of a Mayor's Task Force on AIDS that has representation from the non-medical community. The Health Department should appoint an advisory committee devoted entirely to the AIDS/HIV crisis.

Responses 1, 2, & 3. The Mayor appointed a Task Force on the HIV Epidemic that is broad-based and has non-medical members. In addition he has asked that the former Mayor's Task Force continue to provide scientific and medical advice. The new group was to meet twice a month and has already recommended a needle exchange program. The Department of Public Health now has "4-5 advisory committees on AIDS."

Recommendation 4. The Mayor should appoint a task force on homeless youth, separate from the current homeless program...

Response 4. See report on Homeless Youth in this volume. The Department of Social Services has taken some initial steps to help with this problem.

DEPARTMENT OF PUBLIC WORKS

Recommendation 1. DPW should develop a public information campaign to educate residents that the department relies on the public's reporting of potholes...etc.

Response 1. The department developed a flyer to be put in water bills to ask residents to report any of a long list of public defects. Public service phone numbers were included.

Recommendation 2. DPW should publicize its service telephone number in addition to its listing in the telephone book.

Response 2. The department is now sending out public service numbers with notices to repair sidewalks.

Recommendation 3. The Department of Purchasing should work to expedite implementation of the computerized Maintenance Management System.

Response 3. Computerization as a goal and as a fact of daily life is progressing within the Puchasing Department. The use of existing public domain software (the Missouri System) is going forward and the prospect of implementing it is very favorable. The new Controller is interested in this matter and it is receiving the favorable attention that successful implementation requires.

Recommendation 4, Using data provided by the Maintenance Mangement System, DPW should develop a Vehicle Replacement schedule...

Response 4. This must await the full implementation of the Maintenance Management System.

Recommendation 5. The Controller should raise the dollar amount in the cost definition of "Capital Equipment" to reflect current costs.

Response 5. The Controller presently is using the State of California definition: "$400 or 3 years" (standard accounting term). He is developing a Capital Assets Management system, part of which is reviewing what things cost and at what level to expense them. However, better information is needed for the Controller to make a recommendation to the Board of Supervisors.

Recommendation 6. DPW should develop quantitative data to demonstrate that investment in training is cost-effective to the City.

Response 6. No response

Recommendation 7. The Bureau of Building Inspection should budget for, and hire, more building inspectors.

Response 7. BBI proposed an increase from 21 inspectors to the number needed, based on permit volume. The staff would vary with demand. BBI is now operated with a Special Fund, so adjustments could be made on the basis of revenue received. However, budget cuts have affected the planned increase.

Recommendation 8. BBI's Remodeling plans for the Public Services Division should emphasize much bolder and clearer signs and graphics...

Response 8. This was built into the plan for re-modeling the first floor.

Recommendation 9. BBI employees dealing with the public should receive additional public contact skills training with emphasis on language and cultural differences.

Response 9. BBI has ten employees with bilingual skills. They intend to hire more over the next two years. BBI is also upgrading clerical counter positions to Senior Clerical to improve service in public contact areas.

Recommendation 10. The cyclone dust collector/exhaust unit at the woodworking shop should be moved outside the building.

Response 10. This was included in FY 1988-89 list of capital projects, but was not funded due to budget limitations. It will be re-submitted.

PURCHASING DEPARTMENT

Recommendation 1. The Mayor, with the Purchaser and Controller should assign top priority to accelerating computerization of the ordering and invoice systems...

Response 1. The Procurement Project has done a Requirement Analysis and Software Evaluation for a Citywide procurement system. Purchasing is working with the Controller to define interfaces with the City's Accounting System. Purchasing is also testing the "Missouri System," which is in the public domain.

Recommendation 2. The Director of Purchasing should have the authority to consolidate city purchasing and conracts in a single computer system so that the Department is the source of all purchasing information within the City.

Response 2. This is planned.

Recommendation 3. The Board of Supervisors should undertake a cost analysis and indirect cost of the Minority, Women and Local Business Enterprise program.

Response 3. The Board of Supervisor's Budget Analyst submitted a report on the MBE, WBE, LBE Program to Supervisor Kennedy on March 17, 1989. In it he concludes that "in FY 1987-88 MBE firms were awarded an estimated six percent of all City Prime contracts ($48.2 million out of $800 million) and WBE firms were awarded 0.6 percent of all City contracts ($4.98 million out of $800 million. These percentages contrast to the goals of the existing MBE/WBE Ordinance which were 30% for MBE and 10% for WBE."

Recommendation 4. The Board of Supervisors should amend the Minority, Women and Local Business Enterprise ordiance to limit its effect to minority and women-owned small business enterprises that are domiciled within the City and County of San Francisco...

Response 4. MBE/WBE/LBE Ordinance II was enacted by the Board of Supervisors to take effect on July 1, 1989. The bid preference applies only to local businesses; however, local MBEs/WBEs receive 10%, while local majority firms receive 5%. The set-aside provision was deleted. In the previous ordinance all for-profit contracts were covered. In the new ordinance contracts for diesel fuel are not covered. Only economically disadvantaged firms, whatever the ethnicity, qualify for the program.

Recommendation 5. The Garbage Rate Setting Board should be vigilant to assure that the costs of the Employee Stock Purchase Plan are not included in the rate base or in the accounts used in determining the costs of collection.

Response 5. The City commissioned an outside study of the "Financial Impact of NorCal ESOP on Sunst Scavenger Co., Golden Gate Disposal Co. and Sanitary Fill Co." This was prepared by Touche Ross, The financial impact is considerable if allowed to affect the rate base of the citizens of San Francisco. The study recommends: ESOP contributions over and above reasonable pension benefits should be disallowed for rate setting purposes; Depreciation due to revalued basis of existing fixed assets should not be allowed; Expenses associated with the amortization of permits should not be allowed; and The operating companies should be treated as an entity for rate making purposes.

SOCIAL SERVICES

Recommendation 1. The Mayor and the Department of Social Services should streamline the method of selection of a General Manager...

Response 1. No response. The incumbent General Manager was chosen shortly after, but not in response to, this recommendation.

Recommendation 2. The New General Manager must seriously consider the isues outlined in the staff letter and respond to their voncerns.

Response 2. This was done.

Recomendation 3. The new General Manager and the Administration should expand the lines of communication on all levels of the Child Welfare staff.

Response 3. The General Manager and the Administration state that this has happened.

Recommendation 4. The New General Manager and the DSS should implement the Child Welfare League of America's study and install an Automatic Call Distributor for public hotline numbers to improve emergency response.

Response 4. A new phone system has been installed. Automatic Call Distribution is no longer a problem since DSS has four staff members handling calls. Short staffing was the problem in 1988 and calls went unanswered.

Recommendation 5. The new General Manager and the Director of Budget and Fiscal Operations should give budgetary responsibility, authority and accountability to the Child Welfare management.

Response 5. The General Manager asked for and received input from top level management in Family and Children's Services Division for budget planning. In the fall of '89, Child Welfare supervisory staff will meet for 2 or 3 days to present their budget requests for the FY '90-'91 budget.

Recommendation 6. The Child Welfare Assistant Directors should receive input from line supervisors before making transfers of workers.

Response 6. New transfer procedures - step by step - have been established. This information has been distributed to Child Welfare workers and supervisors.

Recommendation 7. The new General Manager and the Social Services Commission should develop a computer system (MIS) capable of operating independently of the Department of Social Services Case Data System.

Response 7. A mini-computer system (DEC) is being installed. THe lines are in and the software is scheduled to arrive in August '89. This system is compatible with the mainframe IBM in City Hall. In addition to the DEC software, Child Welfare staff will be responsible for programs. In August '89 each unit will receive a terminal; a second terminal is budgeted for a later date. Training for top level management is now underway. Staff members will be trained in late summer.

Recommendation 8. The General Manager should increase the number of Social Service Technicians (2904) to keep pace with the growing caseloads.

Response 8. Eleven 2904's have been approved in the FY '89-'90 budget.

Recommendation 9. The new General Manager should provide a clerk for each unit.

Recommendation 10. The Child Welfare Assistant Director should resolve the reporting lines with the Unit supervisors and clerks.

Responses 9 & 10. Although unit clerks are still shared, and no new clerk positions have been added, the clerks no longer report to the Office Manager. Unit clerks now report to the Unit supervisors. This has eliminated a lot of confusion.

CITIZEN ASSISTANCE CENTER

Recommendation 1. The Mayor's Citizen Assistance Center should make a diligent effort to upgrade and update the reference/resource manual...

Response 1. This has been done.

Recommendation 2. The Mayor's Citizen Assistance Center should list it phone number in bold face under "Citizens Assistance" in the City pages of the phone book.

Response 2. The phone number will be so listed in the next addition.

Recommendation 3. The Budget Director and the Mayor should prepare the budget for the Mayor's Office in such a way that a distinct figure can be rendered for the Citizen Assistance Center.

Response 3. The Mayor's Citizen Assistance Center is now established under the Governmental Operations Division of the Mayor's Office. It is still not possible to determine the cost of operating the Center.

THE JAILS

Recommendation 1. The Board of Supervisors, the Sheriff's Office, the Jail Policy and Planning Advisory Committee and all other County agencies who have a role in the acquisition of Proposition 52 funding must immediately collaborate on, jointly-produce and adhere to a detailed project plan. The plan should identify and list all the tasks, interdepartmental dependencies and milestones involved in timely acquisition and judicious expenditure of the State funds available for the County's detention system.

Response 1. To assess the progress made, if any, see Report on The Jails in this volume.

Recommendation 2. The 1988-89 Civil Grand Jury should monitor and report on the activities and conclusions of the Jail Policy and Planning Advisory Committee.

Response 2. It has. See Report in this volume.

Recommendation 3. Civil Service should conduct an on-site job audit of the custodial positions presently staffed by deputy sheriffs to determine

whether the positions should be reclassified to custodial officers whose salaries would be set at a lower benchmark.

Response 3. The Sheriff is very much opposed to this. Civil Service has not done an audit. In those jurisdictions that have replaced deputies with custodial officers, the salaries of the latter have gradually risen to be close to the deputies.

THE PUBLIC ADMINISTRATOR

Recommendation 1. The Public Guardian should complete procedures to handle the recording of money and other assets in accordance with the Internal Auditor's report.

Response 1. This has been implemented.

Recommendation 2. The Public Administrator should prepare a report to the CAO which assesses the amount of float per year that has accrued to the Bank of Industry, together with an evaluation of the worth of the computer system and services rendered from the Bank. A conclusion should be made as to whether this arangement locks the Office into a perpetual tie with the Bank.

Response 2, An Internal Audit Report dated May 26, 1989 dealt with the banking relationship questioned by the Grand Jury. The summary of the report stated that "our review noted problems with the acquistion of bank service and an absence of a contract dealing with the bank services and the bank-supplied computerization. Without a contract, compensating balance arrangements may not assure earnings are maximized. Further, the collateralization of the deposits was not adequate." The Chief Administrative Officer agreed with the recommendations of the auditors.

Recommendation 3. The 1988-89 Grand Jury should undertake an investigation of the public conservatorship function in order to establish a baseline for future oversight.

Response 3. The public conservatorship function was transferred by the Board of Supervisiors in July 1988 from the Public Administrator to the Department of Public Health. The 1988-89 Grand Jury heard speakers from the Health Department tell of their progress in assuming this role.

PUBLIC HOUSING SECURITY

Recommendation 1. The SFHA should make every effort possible to remodel or replace antiquated, unsafe highrise buildings with three story secure units.

Response 1. Plaza East highrise at Turk and Divisadero is slated for demolition. It will be replaced by a "Victorian" complex.

Recommendation 2. The Police Department should place more emphasis in training its officers on meeting the security needs of Housing Authority tenants.

Response 2. The Police have made a concentrated effort to be more visible at the Sunnydale Housing Project, which is in dire need of their attention.

Recommendation 3. The Authority should assist the tenants in forming and operating associations and encourage cooperative means for working together.

Response 3. The Housing Authority has listed officers for teenant's associations, but have not provided information on how effective they are,

Recommendation 4. The Authority should rent the units immediately upon notice of vacating by the tenant.

Response 4. The Authority has begun an "As Is" program. Families can agree to clean, paint and do minor repair work in order to move in.

Recommendation 5. The drug problem should be number one priority of the SFHA. Every effort should be made to diminish crime and quell the sale and distribution of drugs. Tenants possessing drugs should be removed immediately from their unit and prosecuted. Buildings should be dealer-proof ...

Recommendation 5. Since the Grand Jury report, the press has put out major features on this problem. The Authority has made many commendable efforts to respond to this recommendation. The problem remains unsolved.

RECOMMENDATIONS OF THE 1988-89 CIVIL GRAND JURY

THE BUDGET AND FISCAL RESPONSIBILITY

1. The Mayor, the Board of Supervisors and the Controller should continue to make projections for one year and for five years on General Fund revenues and expenditures.

2. The Mayor's Office should make every effort to keep the public informed of procedures and priorities in every stage of the budget process, particularly in regard to projected shortfalls.

3. The Board of Supervisors should cancel all previous requests and ask of the Budget Analyst to do only those audits that can be completed within a year.

4. All other audits should be done by the Controller.

5. The Mayor and the Board of Supervisors should continue to support the Controller's requests for increased audit staff

6. Whether the auditor is the Budget Analyst, the Controller or an external contractor, auditors should be required to follow up in six months on their completed audits.

7. The Board of Supervisors should continue to explore adding a legislative policy analysis function to its operations.

8. The Budget Analyst should not staff Board committees.

THE CONTROLLER - INFORMATION SERVICES DIVISION

1. The Controller and all EIPSC members should immediately visit the Information Services Division areas in the basement of City Hall.

2. The Controller should immediately clean, reorganize and refurbish the entire ISD facility in the basement of City Hall. As long as it is to be used, working conditions in this area must be improved.

3. The Controller should immediately consider an alternative to the space now used by ISD

4. The Controller should reorganize the physical space of ISD so that management personnel can be reduced.

5. The Controller should try to increase the salaries of programming personnel to a level that is competitive with the market.

6. The Controller should recommend to the Mayor and the Board of Supervisors that they seek the acquisition of a City Office Building that could house data processing, as well as other City departments.

7. EIPSC should consider a five-year master plan to project data processing needs instead of the present three-year planning.

8. The Controller should recommend that the Mayor and the Board of Supervisors consider the establishment of an independent City department for providing telecommunications and data processing services

9. The Public Utilities Commission and EIPSC should immediately begin a central mapping project consistent with private utility company maps

HOMELESSNESS IN SAN FRANCISCO

1. The Mayor should appoint a full-time Homeless Administrator. The Administrator should:

a. be of substantial public stature,
b. be answerable only to the Mayor,
c. have wide-ranging responsibility and authority to develop and manage a unified program,
d. have authority over all tax-funded spending for the homeless,
e. have responsibility for identifying and obtaining state, federal and other available funds, and
f. have the mandate to enlist the help of business, labor, civic and religious organizations.

2. The Mayor should direct the Real Estate Department to identify an existing space for a Centralized Social Services Intake Facility.

3. The Mayor should direct all organizations providing services to the homeless to ensure that their programs are adequately represented at the Centralized Social Services Intake Facility.

4. When appointed, the Homeless Administrator should lobby state and federal agencies providing services to the homeless to place a service representative at the Centralized Social Services Intake Facility.

5. In addition to the creation of a Centralized Social Services Intake Facility, the Mayor and the Board of Supervisors should commit to the development of a Comprehensive Service Facility which would include preventive, medical, counseling and advocacy services, as well as transitional housing.

6. The Department of Social Services should provide pre-homeless services to assist people in maintaining their homes.

7. The Department of Social Services should give high priority to the immediate implementation of a photo identification system for users of homeless hotel services.

8. The Mayor should direct the Social Services Commission to immediately develop a plan to curtail the existing Hotline Hotel Program, replacing it with appropriate transitional and long-term housing programs.

9. The Department of Social Services should significantly expand the Modified Payment Program while the Hotline Hotels continue to be used.

10. The Mayor should forge a partnership among the Housing Authority, the Social Services Commission, The Mayor's Office of Housing, the Mayor's Office of Community Development, labor unions and members of the business and volunteer communities to rehabilitate vacant Housing Authority units and return them to occupancy.

11. DSS funds should not be used to pay directly for repair or rehabilitation of Housing Authority units. They should be used to provide job and skills training for pre-homeless or homeless persons to participate in such rehabilitation.

12. DSS should not take any actions with respect to housing homeless people which would adversely affect eligible people on Housing Authority waiting lists.

HOMELESS AND RUNAWAY YOUTH

1. The Department of Social Services should implement Recommendation No. 7 of the Children's Budget Proposal of Coleman Advocates for Children and Youth (January, 1989) and immediately establish a Teen Services Unit within the Department's Family and Children's Services Division.

THE JAILS

1. The Mayor and the Board of Supervisors should allocate sufficient funds to provide for the public safety and to assure that the jails meet accepted institutional standards to afford all persons in custody of the Sheriff adequate, clean and safe housing, and basic medical, psychiatric and social services.

2. There should be sufficient funding to lower staff to inmate ratios to conform with industry standards.

3. Persons in custody who have medical or psychiatric problems should be treated through services and facilities administered and funded by the Department of Public Health in cooperation with the Sheriff's Office.

4. The Police Department, the Office of the District Attorney, the Courts and the Sheriff should play the major role in assessing criminal justice planning and policy, since these are the agencies that must implement the State Penal Code.

5. The President of the Board of Supervisors should calendar the JPPAC report and recommendations for public hearing immediately. Discussion should begin with a clear statement of the intent behind Propositions 52 and 86, and a review given of the limitations on the types of facilities and services for which the funds can be used.

6. Propositions 52 and 86 represent over $40 million in available funds to the City and County. These funds should be used for one significant and affordable plan that results in more bed space, as JPPAC recommends.

7. The Mayor, Board of Supervisors, Sheriff, Director of Public Health and other interested parties should lobby the state legislature to amend pertinent legal statutes to exempt providers of condoms to inmates from prosecution for aiding and abetting a crime.

PUBLIC DEFENDER'S OFFICE

1. The Public Defender should enforce the office hours as stated in the Manual

2. The Public Defender should determine the cost effectiveness and need for the use of Head Attorneys as supervisors of each unit.

3. The Public Defender should encourage attorneys to participate in group discussions relating to their cases.

6. The Public Defender should ensure that his staff has full access to all research files, taking into consideration weekend and evening hours when attorneys perform their own research. Keys to the research area should be given to all attorneys.

7. The Research Unit should establish a method for maintaining, cataloguing and storing reuseable exhibits for access by attorneys.

8. The Public Defender should establish and maintain a formal program to recruit and utilize law clerks, students and extern/interns to relieve the individual attorneys of this personnel function.

9. The Public Defender should state what minimum qualifications are required in all solicitations for employment.

10. The Public Defender should include benefits and a job description in every ad. The advertisement should be comparable to the other ads that appear in local legal publications, bar journals and legal placement publications.

11. The Public Defender should name a hiring committee whose members consist of a designated number of experienced senior staff. The hiring committee and other interviewers should be trained in personnel interviewing.

12. The Public Defender should state specific qualifications for promotion and these should be well known and be consistently applied

13. The Public Defender should comply with his stated policy that promotional opportunities requiring Criminal Law Specialist certification will open only to those so certified.

14. The Public Defender should make certain that persons eligible for promotion, and not selected, be advised as to the reasons.

15. The Public Defender should write the disciplinary portions of the operations and procedures manual so that they are specific, particularly as they relate to professional standards. The Public Defender should enforce the standards that he has set.

16. The Public Defender should develop grievance procedures, and implement those procedures on a firm and regular basis.

17. The Public Defender should establish an orientation program to train newly hired staff in courtroom procedures.

18. Appropriate supervisory personnel should evaluate newly hired Deputy Public Defenders for a given period of time to make sure they are following accepted procedures and practices.

19. The Public Defender should conduct regular and continuing training for all deputies.

20. The Public Defender should represent the workload of each attorney, as well as the entire department, in the Annual Report accurately. He should use the same system for reporting as that used by the court so that statistics can be cross-referenced and verified.

21. The Public Defender should conduct an internal review of the Mental Health Unit to determine if the needs of the clients are being met. He should consider an alternative system for handling non-criminal clients.

22. The Public Defender should make every effort to ensure that the Head Attorneys review and oversee the workload of those they supervise.

23. The Public Defender should make sure that supervisory attorneys are visible and accessible to the courts for which they are responsible,

24. The Public Defender should make a serious effort to develop a consistent and experienced capital defense team, with consideration of incorporating private attorneys into the team.

25. The Controller should conduct a comprehensive audit of the Public Defender's Office with the goal of determining whether performance is being hindered by management practices within the Office.

OVERSIGHT COMMITTEE OF THE BOARD OF SUPERVISORS

1. The Board of Supervisors should evaluate the effectiveness of the Oversight Committee.

2. After the evaluation by the Board, the Board president should assign to the committee supervisors who want to make the committee work, or disband the committee and assign its duties to other committees.

REAL ESTATE

1. The Board of Supervisors should carry through the feasibility study of the purchase of 1155 Market Street. If the results are favorable, the City should move with dispatch to purchase the building.

2. The Chief Administrative Officer, the Mayor and the Board of Supervisors should require that all new employee authorizations include an Employee Impact Statement detailing the need and availability of office space, furniture and equipment consistent with the position requirements.

3. The Planning and Architecture Departments should establish Office and Space Standards to describe minimum office space requirements.

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GRAND JURY

Office
Room 158-B, City Hall
Telephone: 554-5057

July 19, 1990

Honorable Ollie Marie-Victoire
Presiding Judge
Room 429, City Hall
San Francisco, CA 94102

Dear Judge Marie-Victoire:

Thank you, on behalf of the 1989-90 Civil Grand Jury, for receiving our reports on the conduct of various parts of government within the City and County of San Francisco.

This has been a valuable experience for the 19 members of the Civil Grand Jury; something which each of us will carry for many years.

The support which you gave during our tenure was strengthening and buoyed our efforts, expecially during the difficult post-earthquake period.

Thanks too, for the ready assistance of Mr. Burk Delventhal and Ms. Miriam Morley, Deputy City Attorneys, who were responsive to our requests for legal guidance.

Our hope is that future Civil Grand Juries have the guidance and support of the Court.

Thank you, on behalf of all who served for your willingness to advise, and when necessary, to give direction.

A very special thanks has to be given to Court personnel: Mr. Mike Tamony, Gary Giubbini, Marguerite Taylor, Carolina Mazariegos and Kathy Hanlon, for their excellent assistance.

A warm thanks to Senior Deputy Sheriff Bob Harmon, whose cheerfulness and courteous assistance made our meetings more pleasant.

Very truly yours,

LEO G. McCARTHY
Foreman
1989-90 Civil Grand Jury

LGM:cm

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VOTER INFORMATION PAMPHLET[1]

Background

The San Francisco Civil Grand Jury conducted an investigation of the San Francisco Voter Information Pamphlet and the process used to produce it.

The primary purpose of the Voter Information Pamphlet is to provide the voter with correct information. The California Election Code states ... *the essence of compliance is good faith in presenting to the voters the most accurate available information for their use in effecting comparisons and exercising judgment in casting their ballots.* Government officials have a duty to provide voters with the most accurate information available.

The Voter Information Pamphlet contains two types of official "non-paid" arguments with a rebuttal to each allowed. The Voter Information Pamphlet also allows arguments "in favor" and arguments "opposed" which require a fee.

The Jury finds that some of the statements and the format of the San Francisco Voter Information Pamphlet are misleading. The Registrar of Voters determines which argument will be entitled "official" and included in the pamphlet. The term "Official Argument" is used to designate one pro and one con argument for each proposition. "Official Argument" implies authority, some status or importance or credibility; however, "Official Argument" merely means that the Registrar of Voters selected this argument from a prioritized list of submitters.

Nowhere in the pamphlet are the terms "Official Agency," "Official Argument" or "Paid Argument" defined. Yet a disclaimer at the bottom of each page in the Voter Information Pamphlet states *Arguments printed on this page are the opinion of the authors and have not been checked for accuracy by any official agency.* One might assume that an "Official Agency" checks "Official Arguments" but not "Paid Arguments." This assumption would be wrong because neither the Registrar nor any other individual or agency checks any argument for accuracy.

Recommendations

1. All parties contributing to the preparation of the Voter Information Pamphlet are to act in accordance with the law.

2. The Registrar of Voters shall include in the pamphlet clear definitions of all terms including "Official" and "Paid" arguments.

3. The Registrar of Voters shall include in the pamphlet a clear explanation of

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1. *This portion of the 1989-1990 Civil Grand Jury Report was made public as an Interim Report on October 23, 1989. It was adopted for inclusion in the Final Report in its original form.*

how the Registrar determines which argument will be the "Official Argument," and how the Registrar decides the order in which "Paid Arguments" appear.

4. The Registrar of Voters shall propose legislation to the Board of Supervisors substituting the clear terms of "Argument For" and "Argument Against" in place of "Official Argument" and "Paid Argument."

5. The Registrar of Voters emphasize in the pamphlet, in a conspicuous location, a warning to readers, that other than the language of ordinances and/or existing legislation and legislative text, material represents only the opinion of the writers and may or may not be accurate.

OFFICE OF THE REGISTRAR OF VOTERS[1]

Background

The 1989-1990 San Francisco Civil Grand Jury initially reviewed the Office of the Registrar of Voters in connection with the Voters Information Pamphlet. During that review the Jury heard testimony about the office's operations and the Registrar's error that led to the removal of the Two-term Limit Initiative for Supervisors from the November 1989 ballot. Subsequently, the Jury expanded the scope of the review to include the Office of the Registrar.

State law vests the Registrar of Voters with the responsibility to conduct, manage, and control registration of voters; to hold elections; and to determine all matters pertaining to elections in the City and County of San Francisco. The Registrar works under statutory deadlines before each election. The operations must be nonpartisan, despite the political atmosphere. The Office of the Registrar must avoid even the appearance of impropriety. The citizens of the City and County of San Francisco should receive accurate, unbiased information from the Registrar.

In the report dated October 23, 1989, the Jury recommended ways to improve the Voter Information Pamphlet. This report addresses other aspects of the electoral process; it is based on testimony from Registrars, current and former Registrar of Voter employees, City officials, and on-site observations. The Jury also reviewed the appropriate governing legislation and records.

The Jury noted that the Office of the Registrar has only one employee with more than two years' tenure.

Findings

Absentee Ballots

The testimony of the Registrar of Voters confirms the observation that there is a growing trend in the use of absentee ballots; at least 25% of voters are expected to use absentee ballots in the June 1990 election. When the Registrar receives completed absentee ballots, the staff checks each signature against the signature on file from the voter registration card. When a signature does not match, the Registrar rejects the vote, and places it in a separate file. No further action is taken.

While the Registrar's staff employs safeguards to minimize the possibility of rejecting ballots which should be counted, errors may occur. Voters whose ballots

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1. *This portion of the 1989-1990 Civil Grand Jury Report was made public as an Interim Report on June 4, 1990. It was adopted for inclusion in the Final Report in its original form.*

have been disqualified do not receive notice that their votes have not been counted. This lack of notification prevents them from taking necessary steps to ensure that their ballots will not be disqualified in future elections. Rejected ballots are not referred to any appropriate authority (the District Attorney or the Citizens' Committee on Elections) for investigation.

Recommendations

1. The Registrar of Voters should add the following notice to the absentee ballot and the Voter Information Pamphlet: "Absentee ballots must be signed by the registered voter. No other signature will be allowed. Spouses, friends, or persons holding your power of attorney may not sign your ballot for you."

2. The Registrar should send a notice to each voter whose ballot is disqualified specifying the reason(s) for rejection.

3. The Registrar should notify the Citizens Advisory Committee on Elections (CACE) or the District Attorney of rejected ballots.

Purging the Voter Roll

The Registrar has the complex task of ensuring that the voter rolls are accurate and include names of eligible voters. Currently, after each election, the Registrar sends a residence verification postcard to every registered voter who did not vote. If this postcard is returned as undeliverable, the Registrar removes the name from the rolls. The Jury finds this to be a reasonable approach.

The Registrar must also remove from the rolls the name of any registered voter who has been convicted of a felony and is incarcerated or is on probation or parole. The Registrar receives insufficient information regarding such felons; therefore, the names of "ineligible" felons are not being purged from the voter rolls.

Recommendation

4. The Registrar should continue efforts to obtain from the Superior Court of San Francisco and other jurisdictions useable information that the staff can employ to purge the names of "ineligible" felons from the rolls.

Security

The physical plant of the Registrar of Voters lacks sufficient secure storage areas. Original voter affidavits are not filed under lock and key and are thus accessible to members of the public without supervision. The Registrar has acknowledged this problem and is taking steps to remedy it.

Recommendation

5. The Registrar of Voters should maintain original voter affidavits under lock

and key.

Placement of Propositions on the Ballot

The Jury heard testimony that the order in which a proposition is placed on the ballot affects the outcome of the election. The farther down the ballot sequence the proposition is placed, the less likely people are to vote on it. Witnesses testified that this Registrar has not had a uniform policy on how measures are sequenced and has been susceptible to influence in the placement of ballot measures.

The Registrar's current practice is to place measures on the ballot in the following order: first, "money" propositions; second, charter amendments; third, ordinances and fourth, policy measures. This ordering of the ballot with similar measures grouped is as reasonable as any other.

Recommendations

6. The Registrar should publish and post in prominent locations the policy on ballot placement so that there is no misunderstanding as to how propositions are ordered.

7. The Registrar should publish and post any subsequent changes well in advance of implementation.

Citizens Advisory Committee on Elections (CACE)

CACE was established by ordinance in 1979 with the power and duty to:

1. Study and make advisory recommendations to the officers of the City and County on all matters relating to voter registration, elections, and the administration of the office of the Registrar of Voters.
2. Investigate compliance with the requirements of Federal, State and local election and campaign reporting, disclosure laws and other statutes relating to the conduct of elections in San Francisco.
3. Promote citizen participation in the electoral process.
4. Study and report on all election matters referred to it by various officers of the City and County.
5. Do any and all things necessary or convenient to enable it to fully and adequately exercise the aforesaid powers, to perform the aforesaid duties, and to accomplish the objectives and purposes of this ordinance.

Among other things, the ordinance requires that CACE meet at least bimonthly, that it annually elect a chairperson, and that it file an annual report with the Chief Administrative Officer. When first reviewed CACE had not met these requirements. Subsequent review reveals that CACE has held an election and has taken steps to complete an annual report addressed to the Chief Administrative Officer.

City agencies, commissions, and committees must comply with the Brown Act, the

City and County Charter, and the City and County Administrative Code. The Act, the Charter, and the Code set forth rules for the conduct of meetings, the publication of meetings and agenda, rules and procedures and the recording of proceedings. CACE has not consistently posted public notice of its meetings nor forwarded copies of its minutes to the Documents Department of the San Francisco Public Library.

CACE has been unaware of pending administrative actions and city hearings related to elections. Legislative hearings have occurred on issues related to the Registrar of Voters without the knowledge of CACE. CACE has not received advance notification of new appointments or of term-expiration dates of current members.

Recommendations

8. CACE should schedule on its agenda a review and discussion of the empowering ordinance so that all members are aware of their responsibilities.

9. CACE should take steps to ensure that notices of meetings and agenda are posted and copies of minutes are forwarded to the Documents Department of the San Francisco Public Library.

10. The Clerk of the Board of Supervisors should include all members of CACE on the mailing list of the Board of Supervisors.

11. The Clerk of the Board of Supervisors should notify CACE thirty days before any member's term expires and within five days after the appointment of a new member.

Ballot Simplification Committee (BSC)

BSC was established by ordinance and charged to ensure that ballot materials are worded in an easily understood manner. This process starts with the legal wording of ballot measures. In most cases the City Attorney's Office prepares the proposed simplified wording of ballot measures. The Committee accepts comments from any interested parties. It does not regularly receive any other information.

The "right" word may depend on the original drafters' intent, legal decisions, or the nature of the debate on the issue. City officials and others providing comments may give incomplete or inaccurate information.

The Registrar of Voters attends and participates in BSC meetings, although the ordinance establishing BSC does not recognize the Registrar's participation. The public perceives the Registrar as the one responsible for the ballot materials and, in fact, the Registrar will be the one contacted with questions and complaints regarding the ballot. BSC and the Registrar's responsibilities are closely dependent. The Jury finds that the Registrar could provide insight and continuity to BSC's work.

Recommendations

12. The Clerk of the Board of Supervisors should forward to BSC copies of files relating to any ballot measure, so that each member of BSC understands the context of each ballot measure before drafting the summary.

13. The Budget Analyst should forward copies of the pertinent Analyst's files to BSC for the same reasons as stated in Recommendation 12.

14. The Board of Supervisors should revise the appropriate ordinance to formally recognize the Registrar of Voters as an *ex officio* member of BSC.

Proposition T - Errors of Law

During the November 1989 election campaign, the Registrar decertified Proposition T upon the advice of the City Attorney. Proposition T is the measure that would have limited Supervisors to two elected terms. Proponents of Proposition T collected the number of signatures specified by the Registrar's Office. The Registrar's information proved to be erroneous. Voters were denied the right to vote on this issue because of this error.

The State Legislature had earlier passed legislation which changed the number of signatures required to put a measure on the ballot in a city and county. The Jury heard testimony that this was an unintended result. This change was not noted in the State Legislative Analysts' research of the bill nor by anyone in the City Attorney's office, nor by the Registrar's Office prior to the date on which Proposition T was removed from the ballot.

The Jury finds that it is unclear whether any procedure by the Registrar could or should have caught this change in the law. However, it is clear that what the Registrar did to determine the number of necessary signatures -- dispatch a non-lawyer to the City Hall Law Library to look up all new and amended legislation and then provide an opinion to Proposition T Ballot measure supporters based upon that review -- was inappropriate.

The Jury notes that the Registrar now meets on a daily basis with an assistant City Attorney to discuss legal questions and also attends regular meetings of the Registrar of Voters Association throughout the State.

THE DEPUTY MAYOR SYSTEM[1]

Background

The San Francisco City Charter does not describe the specific position of Deputy Mayor. The first Executive Deputy Mayor position was created in December 1973 by Mayor Alioto. During Mayor Moscone's Administration there were two individuals who had the title Deputy Mayor. Each was paid the same salary. One Deputy Mayor was in charge of management; the other dealt with fiscal matters. Mayor Feinstein's staff structure included two individuals with the title Executive Deputy to the Mayor.

The current Mayor has seven Deputy Mayors. He has divided the City's fifty-four departments into seven "cluster" groups according to areas of responsibility. One Deputy Mayor heads each cluster. Materials provided by the Mayor's Office indicate that each Deputy Mayor coordinates departmental planning and action, meeting formally with his or her cluster approximately once a month, and with individual department heads, commissioners, or other officials as necessary. The Mayor sometimes attends cluster meetings. The Deputy Mayors as a group meet with the Mayor twice a week and without the Mayor once a week. The Mayor does not have regularly scheduled formal meetings with all department heads at one time. Occasional meetings that include all department heads are called by the Mayor as needed, sometimes on one day's notice, and follow an agenda dictated by the Mayor.

Six of the Mayor's Deputy Mayors are paid salaries of $94,458 and each receives employee health benefits worth an additional $1,700. They are not part of the City's retirement system and the City does not contribute to Social Security for them. One Deputy Mayor, whose basic responsibilities in this Administration and salary level predate the appointment to the position of Deputy Mayor, is paid approximately $102,500 under a personal services contract and does not receive any additional benefits.

The Deputy Mayor salary level of $94,458 is equal to that of an Executive Deputy to the Mayor under Mayor Feinstein, after an adjustment for inflation. In accordance with the Charter and at the request of the Mayor, the Board of Supervisors approves the salaries as part of the Mayor's overall budget request. The number of Deputy Mayors that the Mayor can appoint is limited only by the amount of funding and the number of positions the Board of Supervisors approves for this purpose.

Although the Civil Service Commission was notified of these positions in July of 1988, the Deputy Mayors are not Civil Service employees. Deputy Mayors are provisional employees (appointments to permanent or temporary positions in the absence of an "available eligible" or in an emergency). If they were permanent

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1. *This portion of the 1989-1990 Civil Grand Jury Report was made public as an Interim Report on June 26, 1990. It was adopted for inclusion in the Final Report in its original form.*

employees a succeeding Mayor would not have the ability to hire or replace them without going through Civil Service hiring and dismissal proceedings. To date, the Civil Service Commission has not received information detailing the duties and responsibilities of the Deputy Mayors (nor of the forty-five Assistants to the Mayor). There are no job requirements on file; consequently these positions remain unclassified. Five of the seven Deputy Mayors are San Francisco residents.

Charter Section 3.100 requires the Mayor to "supervise the administration of all departments under boards and commissions" he appoints. This duty does not extend to City departments under the Chief Administrative Officer, elected officials, or the Courts. The Charter states that it is the Mayor's duty to coordinate and enforce cooperation between all departments of the City and County. Section 3.101 restricts the Mayor's power to deal with departmental matters by requiring him to address all his directions to the commissions and/or department heads. Commissions and department heads can refuse to comply with the Mayor's requests.

Findings

San Francisco government is complicated because a) it is both a city and a county and therefore required to meet a wider range of responsibilities than many other municipalities, and b) the Charter intentionally fragments leadership among the Mayor, Commissions, a Board of Supervisors, and a Chief Administrative Officer. Charter prescribed responsibilities and lines of authority (especially in setting of policy) are confusing and, according to testimony, are frequently ignored.

In preparation for this report, the Jury interviewed forty elected or appointed City officials, commissioners, department heads and others regarding the structure of City government and the Deputy Mayor system. Many individuals commented upon the need for Charter reform. Testimony conflicts as to the contribution that the Deputy Mayor system makes to the City.

Three comments were frequently made. First, **any executive leader has the right to choose his or her own "team of players".** Second, **the Deputy Mayor system is only as good as the people in it** and, according to many of the interviewees, **the performance levels of the Deputy Mayors vary from exceptionally good to poor.** Third, **the Deputy Mayors' salary level is high for staff members who have no direct line authority and are not held specifically accountable for results.**

How the Deputy Mayor System is Working

The diverse demands upon the Mayor require him to assign duties to aides of his own choice whom he can trust. Most people interviewed recognized the Mayor's need for assistants like Deputy Mayors but thought there were too many. The Jury did not consider how many clusters (each requiring a Deputy Mayor under the current system) are necessary to divide the City's departments into workable segments.

The Budget Analyst's April 1990 review and analysis of the Deputy Mayor func-

tion suggests that San Francisco's Mayoral Office is overstaffed given the population and budget of the City. Comparative data from other cities surveyed by the Budget Analyst tend to support this conclusion. (A definitive comparison is difficult due to the unique structure and various responsibilities inherent in each municipal government.) According to the Budget Analyst's report, the San Francisco Mayor's Office, when compared to Mayor's offices in other combined city/county governments (with the exception of New York) has the largest budget, has the largest number of employees, and pays the highest top salary. The Mayor's response to the report provided no data to refute or justify this finding.

The Jury did not assess the Deputy Mayors' credentials nor the appropriateness of the individual appointments. However, there is widespread belief that some of the Deputy Mayors are qualified for their influential and highly-paid roles and others are not.

The professional expertise individual Deputy Mayors possess can be useful not only to the Mayor but to City departments. Testimony indicates that Deputy Mayors can be excellent advocates for a department head or formidable obstacles to be overcome. When conflicting demands prevent the Mayor's attendance, Deputy Mayors represent him at City meetings, functions and emergencies and later report to him on significant matters.

Generally, the title Deputy Mayor is viewed as a misnomer because it implies that these individuals have powers, including line authority, that they do not possess. The Mayor asserts that he makes all decisions in his Office. Since not all matters that involve the Deputy Mayors are brought before the Mayor, the Jury assumes that the Mayor is referring to major decisions. One Deputy Mayor said "I speak for the Mayor," adding that since this individual knows the Mayor's views on matters that pertain to this cluster so well, this Deputy Mayor only "rarely" consults the Mayor regarding his opinion on particular issues. Testimony from witnesses in the Mayor's Office indicated that the Deputy Mayors "act on [the Mayor's] behalf." The Charter prohibits the Mayor from deputizing anyone to act on his behalf except a member of the Board of Supervisors chosen to serve as Acting Mayor in his absence.

The Mayor has likened the Deputy Mayor system to that of a chief executive's cabinet. The Jury found that this is an invalid comparison. Cabinet members are confirmed by an outside authority, while San Francisco's Deputy Mayors are not. Cabinet members have operating responsibility for government departments. San Francisco Deputy Mayors do not and, according to City and County Charter, may not have this authority.

Several witnesses stated that opposition to the Deputy Mayor system was based simply on resistance to a new idea. However, most proponents and opponents of the system testified that they do not have a clear concept of the authority or job descriptions of the Deputy Mayors. One commission President testified that he considered the Deputy Mayor who oversees his cluster to be his "boss." Other commission Presidents adamantly rejected this interpretation of a Deputy Mayor's authority.

Materials provided by the Mayor in February 1990 in response to the Budget

Analyst's request for job descriptions for the Deputy Mayors are cursory and confusing. Use of subjective words in these materials and in Deputy Mayors' statements such as "oversee" or "coordinate" to describe the Deputy Mayors' relationship to City departments does nothing to illuminate the question. One Deputy Mayor, in response to a question regarding authority, stated that this Deputy Mayor "manages ideas." Some department heads testified that they believe the Deputy Mayors lack a clear understanding of their own authority and job descriptions.

Because the responsibilities and perceived powers of the Deputy Mayors are not defined, the lines of authority from the Mayor to department heads, commissioners and others are obscured. The question often raised by witnesses was, "Who is in charge here? " This unstructured system also interposes Deputy Mayors -- with unclear authority -- between commissions and department heads. These undefined working relationships, and San Francisco's complex governmental structure, preclude there being an equitable mechanism to resolve a conflict between a Deputy Mayor and a cluster or individual department head when such a situation occurs.

The Deputy Mayor for Government Operations submitted materials to the Budget Analyst which state that Deputy Mayors "do not get involved in operational or personnel matters" in City departments. The Jury does not find this to be the case. Witnesses cited examples of Deputy Mayoral involvement in the operational functions of City departments both under commissions appointed by the Mayor and under elected officials. Department heads, elected or appointed, are not in a position to object to intrusion by Deputy Mayors. Their budgets and therefore their ability to function depend upon the Mayor's support and his advocacy before the Board of Supervisors.

Some individuals who work with the Deputy Mayor system view it as an additional layer of government that has been interposed between the Mayor and other City workers and between the Mayor and the citizenry. As a mayoral appointee without departmental responsibilities, a Deputy Mayor's only real constituency is the Mayor. Witnesses cited occasions when a Deputy Mayor has put the need to enhance or protect the political image of the Mayor above the needs of the City.

The Jury heard testimony that it is too early to tell if the current Deputy Mayor system is effective. It is clear that some Deputy Mayors do facilitate interdepartmental action and enable a variety of departments -- which might be in conflict -- to accomplish common goals. Deputy Mayors can also contribute to long-range planning in a different way from an official who deals with a problem only from the point of view of his or her department.

Communication within San Francisco Government

The Jury repeatedly heard testimony that San Francisco's government is polarized into what was called an "inner circle" and an "outer circle."

Department heads, other officials, staff members and citizens who enjoy a good relationship with the Mayor consider him approachable. For them, Deputy Mayors pose no obstacle to communication. Some people testified that they often

bypass the Deputy Mayors and simply express their opinions or suggestions directly to the Mayor. Access to the Mayor is also affected by the status of the official (elected vs. appointed) and how personally aggressive the official is. There is general agreement that department heads and others can save time if they notify a Deputy Mayor of a matter or seek the Mayor's support through a Deputy Mayor rather than attempting to present an issue directly to the Mayor.

Deputy Mayors are intended to be conduits for the Mayor. They present important issues to him for his evaluation and relay his response back to the department head or other official who has raised the issue. Because of the subtleties of communication, some officials are not sure that issues are being presented accurately to the Mayor or that the Deputy Mayor is correctly relaying the Mayor's response.

Deputy Mayors have the responsibility to shield the Mayor from unproductive demands upon his time. However the Deputy Mayor system, through which communication in this administration is generally achieved, exacerbates the problem of polarization in government. Specifically, a Deputy Mayor can become an insulating device against someone who wishes to communicate with the Mayor but who is not the Mayor's ally. The Jury found that there were instances when department heads or other high officials were discouraged from attempting to speak directly to the Mayor about a matter when they wished to do so. In one particular cluster, the Deputy Mayor requires that all Department Heads (and others) in this cluster who seek appointments with the Mayor first submit their requests to this Deputy Mayor for approval or denial.

This Administration holds cluster meetings of related departments but no regularly scheduled all-department meetings. The Jury heard testimony that having only cluster meetings "factionalizes" City government, isolates departments, discourages a sense of teamwork, and prevents ideas or conflicts within departments from being perceived and understood by the rest of government. Some senior officials testified that they object to learning of major City policy decisions through the newspapers.

Most participants found cluster meetings preferable and considered previous all-department meetings, when conducted too often, a waste of time. Cluster meetings are small enough to allow them to be "working" meetings rather than purely informational and, therefore, more productive. However, many people, including those who generally prefer cluster meetings, testified that all-department meetings afford participants valuable opportunities to communicate information across departments. Such meetings also provide a forum for the spontaneous exchange of ideas or, at times, critical information. Most participants would prefer a combination of cluster meetings with infrequent all-department meetings. The occasional and informal all-department gatherings after hours held by the Mayor are social events and not working meetings.

The Costs of the Deputy Mayor System

The salaries of the Deputy Mayors were considered too high by almost everyone interviewed by the Jury including many supporters of the Deputy Mayor system

itself.[1] The Budget Analyst's report indicates that San Francisco's City budget is less than Philadelphia's and equal to Baltimore's. Yet the 1989-1990 Mayor's Office budget of $4,945,000 is double the size of the Mayor's budgets in those cities. Findings in the same report also refute the Mayor's claim to have cut the size and costs of his office when compared with the Feinstein Administration. This discrepancy has generated suspicion of this Administration's credibility, as expressed in the media.

The Jury finds that Deputy Mayors are not held accountable for specific operational areas of responsibility outside the Mayor's Office; yet their salaries exceed those of some department heads who oversee and are accountable for large budgets and departments. This point was mentioned by most people interviewed as the most offensive aspect of the Deputy Mayors' salary level. Many also questioned the Mayor's judgment at filling such prominent positions with, in some cases, persons who possessed unexceptional credentials and who were new to the City's civic and political environment. Objection to this highly-paid "on-the-job-training" was voiced repeatedly by witnesses.

Some witnesses stated that it is necessary to pay Deputy Mayors a salary commensurate with what people of comparable skills would be paid in the private sector in order to attract persons of high caliber. However, the majority of those interviewed felt that this is also true of many other positions in City government which are not paid salaries commensurate with the private sector. These individuals believe that private sector salaries do not justify the perceived salary imbalance between Deputy Mayors and other City employees.

The Deputy Mayors report only to the Mayor and have no job descriptions on record nor operating responsibilities for which they are held accountable. Therefore it is difficult for those who authorize budget expenditures, and for the voting public, to determine the Deputy Mayors' worth to the City.

The Mayor has stated that his Deputy Mayor system should be judged solely on the results his Administration achieves. He added that the voters will have an opportunity at the next Mayoralty election to express their view of how well he, with the help of his Deputy Mayors, is doing his job. But his refusal to let the Budget Analyst speak to the Deputy Mayors directly is indicative of his determination to shield his Office structure, expense and staff from scrutiny. The Jury regrets this denial of legitimate inquiry and this spirit of noncooperation by the City's highest elected official.

Recommendations

1. The Mayor should prepare a complete and detailed job description for the Deputy Mayor positions to be filed with the Civil Service Commission and distributed to all commissioners and department heads to clarify working relationships.

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1. *The Mayor's proposed 1990-1991 budget included a nearly 6% salary increase for the Deputy Mayors which the Mayor subsequently withdrew.*

2. The Civil Service Commission should conduct a study of the Deputy Mayor positions to ascertain their level of responsibility and their appropriate salary level.

3. The Mayor should ensure that the Deputy Mayors do not interfere with administrative affairs within departments.

4. In the 1990-1991 budget cycle, the Board of Supervisors should bring the total expenditures for the Mayor's Office in line with those of comparable municipalities.

5. Prior to the 1991-1992 budget cycle, the Board of Supervisors should direct the Budget Analyst to compare the functions of the Mayor's Office and specifically that of the Deputy Mayors in relation to other cities. The Mayor should fully cooperate with such an analysis.

6. The Mayor and Board of Supervisors should establish a committee to study and revise the City and County of San Francisco Charter to delineate the duties and obligations of the Mayor's Office. Special attention should be paid to the Deputy Mayor positions.

7. In order to facilitate communication in City government, the Mayor should consider conducting regular meetings of all department heads in addition to cluster meetings.

LIBRARY BOND ISSUE, NOVEMBER 1988[1]

Background

In the November 1988 election, San Francisco voters approved Proposition A which provides $109.5 million in bonds for the construction of a main library and reconstruction of branch libraries. The San Francisco Voter Information Pamphlet contained statements by the Board of Supervisors in the Official Argument and by the Mayor and others in paid arguments that money from the bonds would be used for seismic work, handicapped access, or other needed physical improvements in all city-owned branch libraries.

After passage of the proposition, city officials publicly admitted that the bond money was insufficient to upgrade all city-owned libraries.[2] The $5 million designated for work on all of the branch libraries was sufficient to upgrade only eight branch libraries. In fact, at least $10 million more would be necessary to complete the work on all of the branches. The 1989-1990 Civil Grand Jury investigated how an error of this magnitude occurred.

Findings

In researching the decision-making process, the Jury found a dearth of documentation, and what the Jury did find was inconsistent and confusing.

The Capital Improvement Advisory Committee (CIAC) is a body created by the San Francisco Administrative Code. One of its functions is to analyze general obligation bonds before they are submitted for consideration by the Board of Supervisors. On June 24, 1988, the CIAC recommended a bond issue of $120 million which included $5 million for branch library improvements.

The Budget Analyst for the Board of Supervisors wrote on June 29, 1988 , that the $5 million would allow for "major improvements to the City's twenty-six branch libraries." On July 6, 1988,[3] the Budget Analyst noted that the CIAC recommended legislation reducing the total bond to $109 million and that $5 million of that "would be allocated for major improvements to twenty-one of the City's twenty-six branch libraries."

We could find no written documentation of a second meeting of the CIAC reducing the bond recommendation, if it occurred. There was no agenda, no written recommendation coming from the second meeting, no minutes, no public notice,

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1. *This portion of the 1989-1990 Civil Grand Jury Report was made public as an Interim Report on June 27, 1990. It was adopted for inclusion in the Final Report in its original form.*

2. *Of the twenty-six branch libraries, the City owns twenty-one and leases five.*

3. *Should read 1988; misprinted 1989 in the original.*

no record of who attended.

CIAC is subject to the provisions of the Brown Act.[1] The Jury found that the provisions of the Brown Act were violated with respect to CIAC's consideration of the library bond. Most significantly, if there was a second meeting (and the evidence of it is inconclusive), no agenda of it was posted seventy-two hours in advance. Legally, no action could have been taken at the second CIAC meeting. (Government Code section 54954.2.)

The procedural problems with the manner in which CIAC operated are magnified by the error which occurred. Did any CIAC member think $5 million would be sufficient for major improvements in twenty-six branch libraries? In twenty-one? A thorough review of the construction request would have shown the gross understatement of the needs of branch libraries. The Director of Public Works, the Board of Supervisors, and the Capital Improvement Advisory Committee failed to notice the error; furthermore, CIAC precluded public review by failing to give notice of the CIAC meeting. CIAC left no paper trail to ensure accountability.

The Director of Public Works has admitted that an engineer in his office erroneously calculated the funds needed. The Director takes responsibility for the error.

Although the Director readily accepts blame, his action does not absolve others of their responsibility for an error of this magnitude. Statutes require that bond measures be reviewed by CIAC and the Board of Supervisors. In each instance, the reviewing body failed to catch the flagrant error.

The Chief Administrative Officer testified that the intent of the initial bond measure was to fund $5 million of improvements at city-owned branch libraries; it could fund all, it could fund some - the decision was to be made after the election. His testimony was directly at odds with the arguments submitted by the Mayor and Board of Supervisors in the Voter Information Pamphlet.

City officials misled voters into believing that the bond measure would improve all libraries.

Recommendations

1. The Director of Public Works should scrutinize and double-check assumptions

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1. *The Brown Act regulates how public agencies conduct their business, detailing among other things, public notice of a meeting and its agenda, and the taking of minutes and recording of votes. It states, " The Legislature finds and declares that public agencies in this state exist to aid in the conduct of the people's business and that their actions be taken openly and their deliberations be conducted openly. The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created."*

on which he relies to certify (pursuant to San Francisco Administrative Code section 2.30-1) that the cost estimate for contemplated construction which may be part of a proposed bond project is accurate and complete. The Director should communicate those assumptions to the CIAC and the Board of Supervisors.

2. The Capital Improvement Advisory Committee should develop and follow "reasonable rules and regulations" (San Francisco Charter section 3.500) which include the following procedural steps to assure a complete, thorough review of all proposed bond measures:

a. Notice of meetings and the agenda should be provided seventy-two hours in advance of the meetings in accordance with Rule 9 of the CIAC and Section 8.16 of the San Francisco Administrative Code.
b. A complete record of proceedings of each meeting should be kept (Charter section 3.500), including names of the members who attended and how they voted on any issue requiring a vote.

3. The Mayor, the Board of Supervisors, and the Chief Administrative Officer, who submit statements in the Voter Information Pamphlet should carefully review the facts to ensure the accuracy of their statements.

SAN FRANCISCO FIRE DEPARTMENT

EMERGENCY MEDICAL SERVICES

Background

The San Francisco Civil Grand Jury investigated the San Francisco Fire Department emergency medical services in light of the changing role of the San Francisco Fire Department.

The primary provider of medical assistance in response to 911 calls or requests by the Police Department, or by the Fire Department is the Paramedic Division of the Department of Public Health.

By mutual agreement of all providers of emergency services the Fire Department has been designated "first responder" in all emergencies. The distribution of forty-one fire stations throughout the City makes it possible for the Fire Department to arrive at the scene of an emergency within three minutes of its receipt of the call for assistance.

Three private ambulance companies work with the Paramedic Division on a contractual basis.[1] These private ambulance companies are called for assistance whenever all Paramedic ambulances are actively engaged.

In the course of its investigation the Jury interviewed: members of the Fire Commission, Fire Department, Police Department and Paramedic Division, specialists in emergency medicine, and a Deputy Mayor. The Jury visited all fire stations, the 911 dispatch center, the Fire Department dispatch center, the Paramedic dispatch center, and the Fire Department training center at 19th and Folsom Streets. The Jury observed Rescue 1 and Rescue 2[2] in action; reviewed dispatch logs, training manuals, guidelines, and other related documents.

Findings

911

Up to 75% of the 911 calls are placed in error, placed by persons who are just lonely or placed by persons who want transportation to medical centers, but who do not necessarily require ambulance service. The dispatchers question the callers

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1. *The three private ambulance companies on contract with the Department of Health are: King Ambulance, Mercy Peninsula Ambulance, and San Francisco Ambulance Service (aka Golden Gate Ambulance, Inc).*

2. *Rescue 1 and Rescue 2 are San Francisco Fire Department vehicles carrying specialized equipment for rescue work in situations ranging from car crashes to water accidents. Specialized equipment includes such items as ropes and nets, scuba gear and "jaws of life".*

to determine the nature of their needs; where no need exists no ambulance is sent.

Recommendation

1. The Mayor should ensure that public information programs stress the proper use of the 911 system, and the consequences of its misuse. These programs should be offered in the languages of the various communities in San Francisco.

Training

While the number of fire calls to the Fire Department is declining, the number of Fire Department responses to medical emergency calls is increasing:

in 1986 - responded to 15,588 medical emergency calls;
in 1987 - responded to 22,154 medical emergency calls;
in 1988 - responded to 26,031 medical emergency calls;
in 1989 - responded to 26,948 medical emergency calls.[1]

This increasing demand requires corresponding increases in appropriately trained personnel. All firefighters are trained in basic first aid, in cardiopulmonary resuscitation (CPR) and in the use of a defibrillator - an electronic device used in restarting hearts that have stopped beating.[2] As of May 1989, all incoming Fire Department candidates are required to obtain Emergency Medical Technician 1 certification (EMT-I).[3] Courses in the use of defibrillators and other emergency medical procedures are offered by the San Francisco Community College and by the University of California San Francisco. Firefighters who wish to upgrade their skills must attend these courses on their own time. The assigned duty schedule - 24 hours on, 48 hours off, followed by 24 hours on and 72 hours off - makes it difficult to maintain required attendance in the college courses.

Recommendation

2. The Fire Commission should amend the rules of the Fire Department in order to facilitate the continuous upgrading of skills by all firefighters.

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1. *In 1989 the Fire Department responded to 58,178 calls of which 47% were for emergency medical services.*

2. *The Fire Department may apply the defibrillator only when the patient has been declared dead - the heart has stopped beating. In 1989, the Fire Department saved the lives of fifteen patients whose hearts had stopped beating. Training in the use of the defibrillator requires a minimum of eight hours.*

3. *EMT-I certification requires a minimum of 120 hours of training in basic life-saving techniques.*

Quality Assurance

Currently the Fire Department contracts with a physician at the University of California Medical Center San Franicsco to oversee the San Francisco Fire Department emergency medical services. However, there is no supervision or evaluation of the quality of service provided at the scene of an emergency.

Recommendation

3. The Fire Commission should institute a quality assurance program to supervise and evaluate the performance of firefighters during medical emergencies.

Training Facilities

The site and facilities currently used for training firefighters are not suitable for comprehensive ongoing programs. The site at 19th and Folsom Streets lacks the space to house all required training programs. The classroom and office space, the space for personnel files and the space for training records are inadequate.

Recommendation

4. The Fire Commission should obtain appropriate space for a comprehensive training program.

Communication

While the Paramedic Division radio channel is accessible to the San Francisco Police Department, it is not accessible to the San Francisco Fire Department. When responding to an emergency call it is essential for the responder to know that other emergency services are monitoring the calls and are able to respond immediately to a call for assistance.

Recommendation

5. The Paramedic Division, the Police Department, and the Fire Department should immediately establish a common radio channel.

Coordination

Many legitimate calls may require only attended transportation service to a medical center, e.g. a person with a suspected fracture of a leg bone but with no signs of bleeding may need transportation to a hospital, with a paramedic in attendance; other calls require only basic first aid service, e.g. splinting an injured finger. The current complement of thirteen ambulances cannot always respond to all calls made during any one day. If a critical situtation (such as a cardiac arrest) develops while the City ambulances are tied up with such cases as described above, that situation may have to wait or be relegated to private ambulance personnel, whose personnel may be less well trained. In some cities a coordinated response system has been used. For example, in a multiple-tier system, the first responder assesses the situation and determines whether or not a call for further assistance is necessary. Such a system, when coordinated well, conserves the

resources of ambulances and is an efficient means of providing emergency medical services.

Recommendation

6. The Paramedics Division should explore coordinated response systems and determine their applicability in San Francisco.

Paramedic ambulances are positioned on city streets in prescribed areas, while waiting for service calls. This facilitates rapid response. However, when stationed on streets, the ambulances are vulnerable to vandalism, and the personal safety of paramedics may be placed at risk unnecessarily.

Recommendation

7. The Director of the Paramedic Division should order that available Paramedic ambulances be positioned at firehouses nearest the areas with a history of high frequency of emergency calls.

Decontamination

Witnesses testified that there is no designated facility for decontaminating persons exposed to toxic substances, such as chemicals or radioactive materials. When victims of contamination are taken to a hospital, they place other patients and hospital staff at risk.

Recommendations

8. The Department of Health should designate one facility as a decontamination center.

9. The Department of Health should purchase a mobile decontamination unit to be used at the scene of a disaster.

Firehouses

Witnesses testified that the steel, roll-up firehouse doors are driven by electric motors; in case of a power failure these doors have to be opened manually. An earthquake can render these doors inoperable. Such conditions may trap firefighters and vehicles inside the firehouses, endangering the lives of the firefighters unnecessarily.

Recommendation

10. The Fire Commission should modify all firehouse doors to ensure their operability under all conditions.

Fumes from diesel engines present a health hazard to firefighters. These exhaust fumes linger in the apparatus rooms, in the sleeping areas, and in the kitchens. They contain large quantities of known toxic and carcinogenic chemicals. San Francisco Fire Station #32 has tested with favorable results an exhaust extraction

system which is in use in thiry-one other California counties. The estimated cost of such exhaust systems is $2,000 per vehicle.

Recommendation

11. The Fire Commission should install exhaust extraction systems in all firehouses.

The Jury found many firehouses below minimum standards for habitation: exposed electrical wiring; rat infestation; mosquito infestation; leaking roofs and windows; asbestos problems; sewage problems; faulty heating and ventilation. Adaptation of firehouses to accomodate female firefighters is inadequate.

Recommendation

12. The Fire Commission should immediately upgrade firehouses to minimum standards for habitation.

SAN FRANCISCO PUBLIC HOUSING AUTHORITY

Background

The San Francisco Public Housing Authority (the Authority) has the statutory responsibility to provide decent, safe, and sanitary housing for low and moderate income residents of San Francisco. The Authority's funding comes primarily from the federal government and tenant rents. In 1989-1990, the Civil Grand Jury investigated the Authority because of complaints that the housing provided by the Authority for more than 22,000 City residents was not decent, safe, or sanitary.

In the course of its investigation the Jury interviewed the Authority's Executive Director, his Executive Assistant, the Deputy Executive Director of Housing Management, the Acting Deputy Executive Director for Administration and Finance, representatives of various tenant associations, the Case Manager for the San Francisco Gang Prevention Program at the Sunnydale housing development, a resident manager of one of the housing developments, the Chief of Police and the Deputy Mayor for Housing. The Jury toured twenty-three of the City's forty-four public housing developments, attended several San Francisco Housing Authority Commission meetings, and reviewed recent management reports of the U.S. Department of Housing and Urban Development (HUD), responses by the Authority, the Independent Auditor's Report of Kenneth Leventhal & Company, and the First Six Month Report of the Executive Director.

Findings

The Jury drew two principal conclusions from its investigation. First, many of the City's housing developments are in serious trouble -- they are badly maintained, scary places in which to live. Second, the new Executive Director, whose term began on May 8, 1989, is vigorously attacking the problems the Jury identifies in this report. As outlined in his First Six Month Report issued in December, 1989, he is achieving some significant success. The Authority's neglect of some of the developments in the past should not be repeated. To minimize the seriousness of the current situation or to blame the current administration for it, would distort the Jury's findings and recommendations.

Recommendation

1. The Mayor and the Housing Authority Commission should evaluate the Housing Authority to determine whether the objectives outlined by the Executive Director in his First Six Month Report are being met.

Maintenance

The Housing Authority currently has 6,396 units, 2,025 of which are designated

for senior citizens.[1] The Jury heard complaints concerning security and maintenance in senior citizens' and family housing. The more serious problems exist in family housing. There the Jury found the most visible lack of maintenance, including ill-kept grounds, dirty common areas, units in need of paint, broken windows, and boarded up units. Residents' complaints that management is not responsive to requests for maintenance are confirmed by the Authority's staff and by HUD.

The Jury learned that the bulk of the Authority's maintenance work is highly centralized and that few projects have maintenance staff on site. Instead, workers are assigned from a centralized maintenance office - this requires additional travel time and results in inefficient use of human resources. There are no written comprehensive policies and procedures which govern the management of the extensive property under the jurisdiction of the Authority.

The current Executive Director has taken a series of steps to address these problems, which are described in his First Six Month Report. He is in the process of preparing written policies and procedures for maintenance which will include clearly defined goals, objectives and timetables for both tenants and employees. He has hired a Deputy Executive Director of Housing Management who has begun the decentralization of maintenance services. A primary goal is to improve services to residents by increasing staff responsibility and accountability at the local level, restoring the physical condition of the premises and providing a more direct and timely response to maintenance requests.

The Jury found a striking contrast between the Housing Authority developments at Hunter's Point and Yerba Buena Plaza East, and the occupant managed cooperative housing projects (Co-ops) for low income people directly across the street. The Co-ops appeared well maintained, with well kept grounds, clean common areas, and no broken windows or boarded up units. In many instances the income ranges of those living in the Co-ops and the Authority developments overlap. The Acting Deputy Executive Director for Administration and Finance testified that the principal differences between the Co-op and Authority projects include the level of control which the residents have in the Co-op over management, the Co-op's option to use private services while public housing tenants are required to accept City services, and the Co-op's ability to evict tenants without administrative delays.

Recommendations

2. The Executive Director should complete the reorganization of maintenance services described in his First Six Month Report. This Report was submitted to and approved by the Housing Authority Commission.

3. The Authority should require tenants to attend basic household maintenance classes as a condition of their tenancy.

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1. *See Documents, "San Francisco Housing Authority Developments".*

4. The Executive Director should compare the management of the Authority developments at Yerba Buena Plaza East and Hunter's Point with the neighboring Co-ops and implement those management techniques which would improve the maintenance and operation of the Authority projects.

Security

The Jury heard testimony and reviewed documents from tenants, HUD, the Authority officials and the San Francisco Police Department about the serious crime problems jeopardizing the Authority's ability to maintain a decent and safe living environment for residents. Criminal elements have moved into vacant units and have taken over developments. Living conditions in the family units can be very threatening. The saddest evidence of the violence in many of the family developments is the graffiti on exterior walls which memorialize murdered teenage residents who were gang members. The problems described above have been especially prominent at the Holly Court, Valencia Gardens, Alice Griffith, Yerba Buena Plaza East, Sunnydale and Hunter's Point developments. Security problems are exacerbated by the design of many of the developments, which have common areas open to non-tenants and which are difficult to police.

The current Executive Director of the Housing Authority has written, *Security is a meaningless concept if not tied to the elimination of drug activity in our developments and to the remediation of social and economic conditions which lead to uncivil behavior.* With respect to the elimination of drug activity, on May 24, 1990, the Housing Commission approved allocation of $1.5 million to pay the San Francisco Police Department to deploy three squads of eight men each, solely to patrol designated developments. In addition, the Commission is contracting with San Francisco SAFE, Inc., to provide educational and support services concerning crime prevention to the residents of Alice Griffith, Yerba Buena Plaza East, Valencia Gardens and Sunnydale Housing developments. San Francisco SAFE, Inc. will, among other things: (a) monitor staff at Alice Griffith and Yerba Buena Plaza East developments ten hours per week; (b) maintain staff at Valencia Gardens and Sunnydale developments twenty hours per week; and (c) attend monthly resident meetings, development meetings and other meetings as necessary. The goals of San Francisco SAFE, Inc. include fostering community leadership and facilitating communication between each development and service providers, the San Francisco Police Department and the Authority.

The Authority does not have the resources to remediate the social and economic conditions which lead to uncivil behavior. Nevertheless, in conjunction with the Mayor's office, during the past year the Authority did open a recreation center for teenagers at Sunnydale and did develop an affirmative action program for job opportunities.

The Authority and other public entities, such as the San Francisco Unified School District, suffer from a lack of funding. To enlist public support, the San Francisco Unified School District has developed a program for business to "adopt" a public school. This program allows businesses to funnel volunteers and funds to the adopted school. The goal is to increase the commitment of the private sector to the success of the adopted schools, to make available employment opportunities to students, to assist in social service programs, and to expand the base of

community support. Several City officials stated that they believe a similar program could be adopted for public housing developments.

Recommendations

5. The Executive Director should explore whether physical changes in the housing developments, and/or greater tenant responsibility for the management of the developments might improve security.

6. The Housing Authority and the Police Department should continue to increase visible security presence at troubled developments.

7. The Executive Director of the Housing Authority should encourage economic development and social programs. He should seek corporate sponsorship of those programs, following the "adopt-a-school" model.

Vacancy Rate

Despite a sizable list of eligible people waiting to be accepted into public housing, in the Summer of 1989 ten percent of the Authority's units were vacant. That rate is more than twice the HUD-acceptable standard and nearly three times the city-wide average for private housing. Consequently, not only are eligible people unable to occupy existing housing, but persons involved in illegal activities can invade the units. Fixtures in vacant units are often vandalized, and require more maintenance work to repair the damage. The cost of added maintenance and rental loss through prolonged vacancies represents a substantial financial loss to the Authority. To alleviate this, the Executive Director has developed and implemented a plan to rehabilitate and make available the vacant units. The number of vacancies was reduced from ten percent to eight percent by December 1989 and to six percent by May 1990. The Executive Director has pledged to reduce the vacancy rate to two percent - a normal turnover vacancy rate for San Francisco - by September 1990.

Recommendation

8. The Executive Director should continue to make the rehabilitation and occupancy of vacant units a high priority.

Waiting List

At present, there are more than 1,900 families on the waiting list for public housing. The total number of families desiring public housing is unknown, however, because the waiting list has been closed to new applicants since June 1988.

Tenants have been concerned that preferential treatment has been given to some people on the waiting list as a result of personal relationships with the Authority's staff. The Authority admits that its criteria for placement are not comprehensive and have been disregarded at times. For example, there are no guidelines to determine whether a family which has just been displaced from its home should receive priority placement over a family which has been on the waiting list and is currently living with relatives.

The Authority intends to implement a simplified application system, to merge the vacancy and "re-occupancy" procedures, and to enforce new objective standards for placement. It also intends to reopen the waiting list and ask the Housing Authority Commission to approve a revised placement system.

Recommendation

9. The Authority should place the names of qualified applicants on the waiting list and move the applicants into housing in accordance with objective criteria.

Evictions

A frustration of both the Authority and tenants is the difficulty of evicting tenants involved in criminal activity or other conduct which breaches the other tenants' covenant of quiet enjoyment, as promised by law. The Authority has two problems in this regard. First, its legal staff is too small to institute eviction actions against all tenants who are engaged in criminal activities. Second, in the cases which are litigated, the courts at times show more sensitivity to the plight of the family being evicted, some of whose members may not be involved in criminal activities, than to the welfare of the entire development and the families on the waiting list who are also in need of public housing.

Recommendations

10. The Authority should seek *pro bono* assistance from law firms in San Francisco to augment its legal staff so that actions may be brought against all tenants known to be involved in criminal activities.

11. The attorneys representing the Authority should ensure that during eviction trials the courts are made aware of the terror-ridden environment caused by criminal activities at the developments.

Audit

On July 28, 1989, the public accounting firm of Kenneth Leventhal & Company issued four separate reports regarding the accounting procedures and fiscal management of the Housing Authority. The reports contained eighty-five recommendations, the most important of which may be grouped as follows:

1. Prepare a well-devised accounting manual with a comprehensive training program for employees.
2. Institute a periodic review of competency of employees involved in accounting and fiscal management.
3. Improve the capability of Housing Authority employees to do an internal audit.
4. Hire an internal auditor to provide assurance that the system and procedures are functioning as designed.
5. Improve procedures to show compliance with the Federal Financial Assistance programs.

In its response to the report, the Authority admitted that it had been deficient in many of the areas discussed in the Leventhal & Company reports and described the measures by which it would implement the recommendations.

It is too early to determine whether the new controls recommended in the Leventhal report are in place and effective. This Jury, therefore, does not have the evidence to make any recommendation concerning the Leventhal report but instead suggests that next year's Jury and the Board of Supervisors review the Authority's response to the reports.

Documents: San Francisco Housing Authority Developments

SAN FRANCISCO HOUSING AUTHORITY DEVELOPMENTS

DEVELOPMENT	LOCATION	UNITS	COMPLETED
Holly Courts	Appleton, Highland, Patton, Holly Park Circle	118	1940
Potrero Terrace	23rd, Wisconsin, 26th Street, Connecticut	469	1941
Sunnydale	Velasco, Hahn at Sunnydale	767	1941
Valencia Gardens	Valencia, 15th Street, Guerrero	246	1942
Westside Courts	Post, Broderick, Sutter, Baker	136	1943
North Beach	Columbus, Bay, Mason, Francisco	229	1952
Ping Yuen	Pacific at Powell, Grant & Stockton	234	1952
Bernal Dwellings	Harrison, Army, Folsom, 26th Street	208	1953
Hunters Point (A)	1. Upper West - Griffith & Navy Road	30	1953
	2. Lower West - Oakdale, Griffith, Palou	103	1953
	3. East - Earl, Kiska, Dormitory Road & Evans	80	1953
Potrero Annex	Missouri at 23rd Street	159	1955
Alemany	Alemany at Ellsworth	158	1955
Yerba Buena Plaza	W - Turk, Divisadero, Eddy, Pierce	0	
	E - Turk, Buchanan, Eddy, Laguna	276	1956
Westbrook Apartments	Innes, Southridge, Kiska, Dormitory	226	1956
Hunters View	Middle Point at Innes or Evans	275	1956
Rosa Parks Sr. Apts.	Webster, Turk, Buchanan, Golden Gate	198	1961
Ping Yuen (North)	Broadway, Cordella, Pacific, Stockton	194	1961
Alice Griffith	Griffith at Gilman	256	1962
Hayes Valley	A - Velasco & Griffith	18	1962
	B - Buchanan, Webster, Page, Haight	159	1963
	C - Buchanan, Webster, Fell, Hayes	135	1963
* John F. Kennedy	Sacramento near Webster	98	1966
* Mission Dolores	15th Street near Guerrero	92	1966
* Woodside Gardens	Woodside Avenue, opposite Hernandez	110	1968
* 990 Pacific	Pacific & Mason	92	1969
* 227 Bay	Powell & Stockton	51	1970
* 275 Thrift	Thrift, Capitol, Orizaba	1	1970
* 350 Ellis	Teylor & Jones	96	1970
* 666 Ellis	Hyde & Larkin	100	1971
* 345 Hermann	Hermann & Duboce	42	1971
* 75-77 Coleridge		2	1971
* 101-103 Lundys Lane		2	1971
* 3850 18th Street	Church & Sanchez	107	1971
* 320/330 Clementina	Tehema, Clementina, 4th, 5th Street	276	1971
* 4101 Noriega	48th Avenue & Noriega	8	1971
* 363 Noe	Pond & Noe	22	1971
* 200 Randolph	Randolph & Head	16	1971
* 2206-2268 Great Highway & 2215-2263 48th Ave		16	1971
* 2698 California	California & Scott	40	1971

*Designated elderly

SAN FRANCISCO HOUSING AUTHORITY DEVELOPMENTS

DEVELOPMENT	LOCATION	UNITS	COMPLETED
* 25 Sanchez	Sanchez & Duboce	90	1972
* 1760 Bush	Gough & Octavia	108	1972
* 345 Arguello	Clement & Cornwall	69	1973
* 1880 Pine	Gough & Octavia	113	1973
* 491 31st Ave	Geary & 31st Avenue	75	1973
* 1750 McAllister	Baker & Broderick	97	1974
* 939 Eddy St	Gough & Franklin	36	1980
* 951 Eddy St	Gough & Franklin	24	1980
* 430 Turk	Turk & Larkin	89	1987
Joan San Jule Apts.	Eddy & Webster	8	1988

*Designated elderly

JAILS

Background

All California Grand Juries are mandated to examine and review jail facilities in their counties. The San Francisco Civil Grand Jury interviewed the Sheriff, 12 of his deputies, the Director of Pre- and Post-Release Programs, the Deputy Mayor for Public Safety, the President of the Board of Supervisors, the Mayor, and some inmates. The Jury visited each one of the San Francisco County Jails:

Jail #1 - on the sixth floor of the Hall of Justice,
Jail #2 - on the seventh floor of the Hall of Justice,
Jail #3 - the men's and women's facilities in San Bruno,
Jail #4 - the Work Furlough facility beside the Hall of Justice,
Jail #5 - the medical facility at San Francisco General,
Jail #6 - SWAP (Sheriff's Work Alternative Program), and
Jail #7 - the new dormitory-style facility in San Bruno.

Responsibilities of the Sheriff's Department extend beyond supervision of jails - they include providing bailiffs in the courtrooms at City Hall and the Hall of Justice, and transporting prisoners. The Sheriff's Department also serves court documents (bench warrants, subpoenas, etc.), effects evictions, handles the attachment, custody and sale of personal or real property as directed by the court, and performs various other functions as required by statutes.

The Sheriff profiled the average county jail prisoner:

- female or minority male, 18-25 years of age
- San Francisco native
- high school drop-out; 7th grade reading level
- no identifiable earning capacity in San Francisco's high-tech labor market
- has been to Youth Guidance Center or on probation more than once
- a parent of one or more children under five years old.

He stated that of the entire jail population, 70% were convicted for drug related crimes and an additional 20% were convicted for alcohol related crimes.

A lawsuit was instituted in 1978 (Stone vs. the City and County of San Francisco) leading to the Consent Decree of 1982 which was extended in June of 1989 for at least six months. The Consent Decree outlined standards which must be met at Jail #1. These standards relate to overcrowding, ratio of staff to prisoner population, special medical requirements, condition of facilities, bedding, clothing, and access to the Courts, telephones and recreational facilities.

Conditions in the jails have been judged substandard by previous Grand Juries, as well as by other agencies. Most recently, these conditions were noted by the State Board of Corrections in the November 23, 1987, and January 29, 1990, Inspection Reports and by the 1988-1989 Civil Grand Jury.

The Passage of State Proposition 52 in 1986 and State Proposition 86 in 1988 made possible planning for new facilities to alleviate the conditions in the jail

system. The Jail Policy and Planning Advisory Council (JPPAC)[1] recommended new jail construction near the Hall of Justice. Under proposition 52, $22 million in State funds were to be available if plans were approved by the State Board of Corrections and work on the facility started by September, 1990.

The Board of Supervisors and the Mayor's Criminal Justice Council had not acted on the JPPAC recommendations when this Jury convened in July, 1989. After the October 17th earthquake, the State Board of Corrections granted a six month extension of the deadline for plans. The Board of Supervisors did approve a subsequent plan to expand Work Furlough and the Sheriff's Alternative Work Program, and improve San Bruno facilities. In December 1989 a new plan received required approvals by municipal officials. The new plan calls for the use of the parking lot behind the Hall of Justice for the construction of a new jail with a new centralized booking facility. There is a proviso that all planned new beds will be used for medical or work furlough purposes only. The State Board of Corrections has given project approval and the Sheriff has until March 30, 1991, to get final approval of plans.

Findings

Inmate Population

The inmate population exceeds rated capacity as evidenced by the headcount for February 3, 1990.

Facility[2]	Rated Capacity	Actual Count
Jail #1	426.	408.
Jail #2	372.	441.
Jail #3	602.	790.
Jail #7	300.	322.
TOTAL	1,700.	1,961.

In the first 18 days of June 1990, the average inmate occupancy was 1,724. In 1989, the average June occupancy was 1,708. June, July, and August are traditionally the months with the lowest prisoner count.

The Sheriff testified that there has been a substantial increase in the jail population due to the crack-cocaine epidemic. In order to prevent overcrowding in Jail #1 and thus violating the Consent Decree, prisoners have been transported to other jails. The result has been overcrowding at those facilities.

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1. *Proposition 52 required the establishment of this Council to evaluate jail conditions and recommend a 20-year plan of action. Members of the Council were drawn from the local justice system and the public.*

2. *Medical, Work Furlough, and Swap facilities are not included.*

Staffing

The jails are understaffed.

There are 459 authorized staff positions; the actual staff count on June 15, 1990, was 449 with the hiring of personnel to fill the ten vacancies to be completed on July 23rd. Approximately two-thirds of the deputies are assigned duty in County Jails #1, #2, #3, #4, #5, and #7. The remaining deputies are assigned to the other functions of the Sheriff's office: courtroom bailiffs, jail transportation, enforcing civil court orders such as evictions, and process serving.

The ratio of deputy-to-prisoner has not improved since the 1988-1989 Civil Grand Jury Report, when the deputy to prisoner ratio was one to eight versus an accepted industry standard ratio of one to 3.11.

In the daytime each jail tier at the San Bruno men's facility (140 inmates) is supervised by one deputy. At night there is a single deputy assigned to two tiers (280 inmates).

Witnesses testified that understaffing results in increased incidents of violence among inmates, a jail population which is harder to control, and an inability by the available staff to provide access to State and constitutionally mandated services, e.g. medical care and physical activity.

The Sheriff's requests for additional staff have been denied for several budget years. An emergency appropriation request submitted in April, 1990, for 134 more deputies and clerical staff was denied and there will not be any staff additions in 1990.

The Sheriff testified that because of insufficient staff he may have to consider various alternatives such as closing the women's facility or a floor of the men's facility at Jail #3. This would result in overcrowding at the other facilities. He might also have to request that the Sheriff's Department be released from the responsibility for providing civil court bailiffs.

Maintenance at San Bruno

There is one plumber available for all San Bruno jail facilities. The plumbing is out-of-date and parts for repairs cannot be obtained. Many toilets are inoperative; cells with inoperative toilets cannot be used to house prisoners.

Many windows are broken. Because the glazier is only available twice a year, the windows are often left unrepaired for several months at a time.

The heating plant cannot be properly regulated.

Lighting in the tiers generally is not adequate for reading or writing.

Dormitory Facility

The new dormitory facility in San Bruno, Jail #7, has been in full operation since May, 1989. The facility has six large gymnasium-like areas, each of which is designed to house fifty prisoners.[1] These areas surround a central guard command post. The facility houses only the sentenced prisoners, who constitute a minority of the total jail population - approximately 325 of the 1800. To live here, the prisoners have to have been sentenced and must sign an agreement to attend and work in any assigned programs.[2] The agreement states that each prisoner "treat others and myself with respect and dignity" and deal with problems in a positive manner. The agreement further states that each participating prisoner understands that "racism, sexism, glorification of substance abuse or criminal behavior and any other form of anti-social behavior will result in loss of privileges, extra work duty or removal from the Program Facility."

Originally it was a male only dormitory; now one section is used to house women. The building has had only makeshift remodeling to allow it to accommodate female prisoners. Prisoners are guarded by twelve or thirteen deputies during the day and only six during the midnight shift. A majority of the prisoners spend much time outside this facility in classrooms or gardening or exercising in an adjacent area. A deputy testified that there are few violent incidents, and the atmosphere is less hostile than in the other facilities, because most of the prisoners in this facility are assigned to educational, vocational, and counseling programs.

Women's Facility

Originally the women's facility at Jail #3 was intended to house forty-eight prisoners in single cells; there are now eighty-five women in these cells. Over half of the cells have windows sealed shut and the heating and ventilation systems are inoperative. The plumbing system cannot be repaired as it is rendered inaccessible by thick plaster walls. As in the men's facility at Jail #3, replacement parts for the plumbing system are no longer available. The four showers for eighty-five inmates are in the basement. As there are only three deputies assigned to the day shift, some normal activities such as showering, exercise or program participation must be curtailed.

Food Handling

The Jury received complaints from inmates in the Four North Tier of Men's Jail #3 that coffee and food had been contaminated. This particular cell block is intended to house gay males.

The Jury found that prior to the complaint, coffee urns were labeled with their destinations. Consequently, anyone who had access to the urns could contaminate

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1. *See Documents, "Dormitory Plans".*

2. *See Documents, "Prisoner Agreement".*

the coffee intended for a specific tier. After hearing the complaint, the Sheriff immediately had the labels removed so that coffee was distributed on a random basis.

The Jury finds that food preparation and distribution is now done in such a manner that no prisoner working on the food line knows the destination of any particular tray or group of trays, reducing the opportunity to target any particular tier.

Sheriff's Staff and Inmate Education

The present staff of deputies in the Sheriff's office impressed members of the Jury as highly professional and genuinely interested in the welfare of the prisoners. Under the leadership of the Director of Pre- and Post-release Programs, these deputies developed educational and counseling programs for sentenced prisoners. The programs have been staffed by the San Francisco and San Mateo County Community College Districts, the Mission Reading Clinic, various instructors from local colleges and volunteers. The "Life Skills" courses, given before release from jail, emphasize job procurement and retention, maintaining the family unit, parenting for both men and women, and breaking the chain of substance abuse.

The horticulture program[1] involves about 40 inmates, and teaches them through organic farming that chemicals are to be avoided in life as well. The Jurors who spoke with some prisoners working in the gardens were impressed with their enthusiasm. One woman said, "It's the first time I've ever had respect." At this time they don't produce enough food to be used by the jail kitchen. The fact that the harvest is donated to hungry and homeless people is a source of pride to many of the workers.

The auto shop program prepares inmates for entry-level employment and, in 1988, graduated sixteen people into an advanced auto program. This program is endorsed and supported by an auto union. Some inmates finishing this program have been placed in union apprenticeship programs.

There are printing, culinary arts and job preparation programs. Also offered are courses in reading skills, typing and word processing, and those leading to a Graduate Equivalent Degree (GED).

Earthquake

Emergency plans developed by the Sheriff prior to the October 17th earthquake proved to be adequate. The Sheriff testified that the County Jail system suffered little structural damage. The Deputy Sheriffs played an active role in the emergency earthquake relief, teaming up with police officers and using both police and sheriff's cars to patrol.

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1. *See Documents, "San Francisco Sheriff's Department Horticulture Program".*

Recommendations

1. The Mayor and the Board of Supervisors should allocate sufficient funds to assure that the jails meet accepted institutional standards as defined by the California Board of Corrections.

2. The Jury recognizes that the physical facilities are inadequate and that it would require considerable time to build consensus and support for a program to construct facilities. The Board of Supervisors should implement programs which effectively and safely reduce the need to house individuals in jail facilities.

3. The Mayor and Board of Supervisors should increase the Sheriff's budget to provide for additional deputies in order to ensure safe and humane conditions for all prisoners in San Francisco county jails.

4. The Sheriff should immediately repair and maintain all essential jail facilities including but not limited to toilets, windows, heating, and lighting.

5. The Sheriff should modify Jail #7 to provide adequate housing for female prisoners.

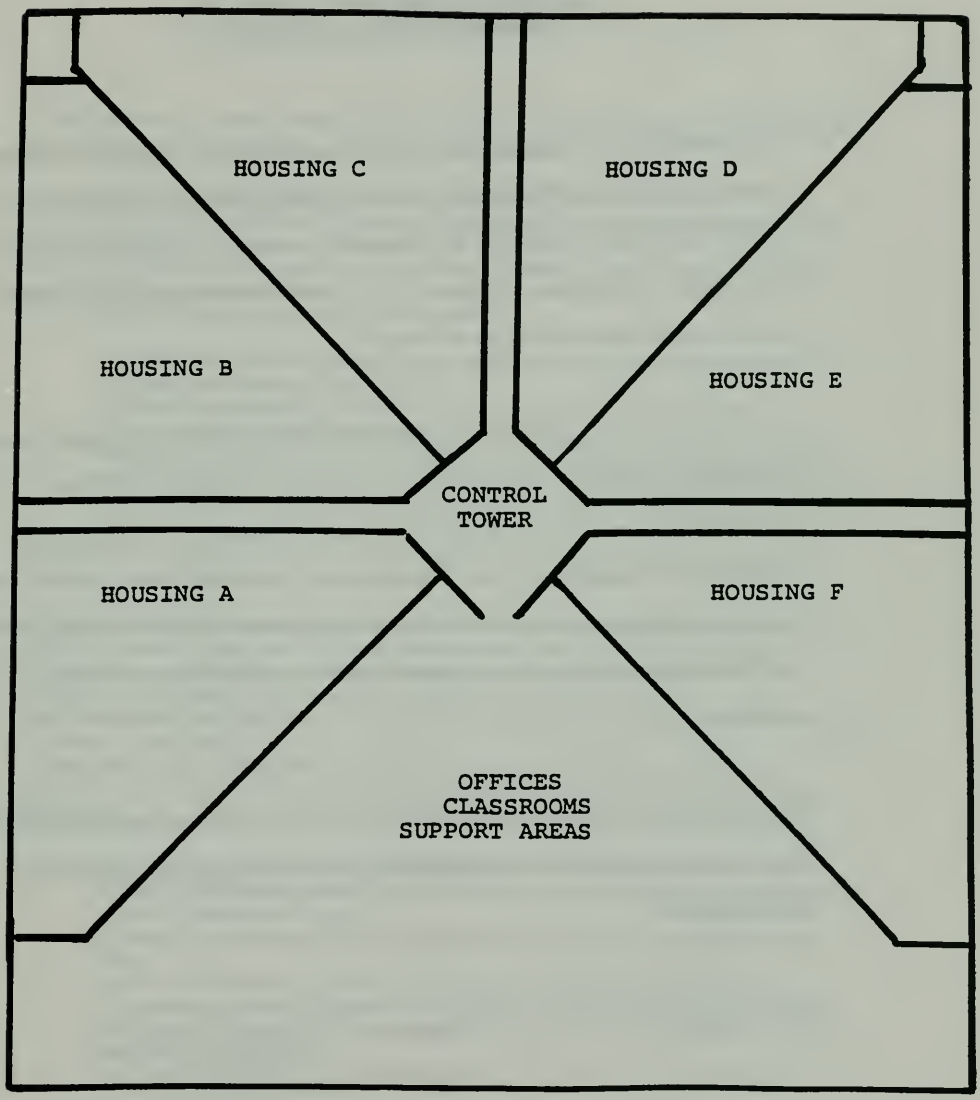
6. The Sheriff should immediately improve the women's facility at Jail #3 or close it down. (On June 7, 1990 the Sheriff announced that because of budgetary restrictions, he was temporarily closing women's jail #3 and transferring prisoners to jail #7, displacing sixty-one male inmates.)

7. The Sheriff should regularly review the food preparation and delivery procedures, to minimize the possibility of contamination.

8. The Director of Pre- and Post-Release Programs should continue programs currently available to inmates and should expand them to include additional opportunities for the development of marketable skills.

9. The Sheriff should publicize the need for volunteers to teach basic educational and vocational skills, and should solicit the unions for help in training prisoners for entry into apprenticeship programs.

Documents: Dormitory Plans



SAN FRANCISCO SHERIFF'S DEPARTMENT
PROGRAM FACILITY AGREEMENT

As a participant in the San Francisco County Jail #3 Program Facility Educational, Vocational and Counseling Program, you will be assigned a counselor or deputy who will work with you to help prepare you for life outside of jail. You will be assigned to a schedule of work, classes, groups and other activities. These programs are designed to help you take responsibility for your life and actions while you are in jail and when you are released.

I, _____, have been accepted into the Program Facility Educational, Vocational and Counseling Program. I will obey all rules and regulations. I will reside in the Program Dormitories. I will participate in good faith in all programs I am assigned to. I will attend all programs and work assignments on time. I understand that I am required to treat others and myself with respect and dignity. I will discuss problems with other prisoners and staff in a positive manner. I will work sincerely towards meeting the goals I establish to prepare for a positive re-entry into the community.

I understand that racism, sexism, glorification of substance abuse or criminal behavior and any other form of anti-social behavior will result in loss of privileges, extra work duty or removal from the Program Facility.

Date _____

Participant _____

Staff Person _____

Documents: Horticulture Program

S.F. SHERIFF DEPT. HORTICULTURE PROGRAM
C. J. #4 PROGRAM FACILITY
A PROGRAM FOR HORTICULTURE THERAPY/EDUCATION

I. The Horticulture program is an educational project which teaches Horticulture, Agriculture and Husbandry.

a) Each day class begins with inspirational reading and group discussion.
b) Two classes in the morning and afternoon are held each day focusing the Bio Dynamic French Intensive Method of Gardening and Husbandry.
c) Health Maintenance in the garden is always related to Healthy Worldview and health maintenance in the lives of each student.
d) Horticulture skills practiced through work in the field.

1. Students learn gardening skills which are used in maintaining a healthy large scale gar den, plant identification, proper tool use.
2. Students learn husbandry; Animal Care for chicken, goats ponies and rabbits.
3. Students learn the Bio Dynamic French Intensive method of organic food production.
4. All produce is delivered weekly to Martin De Porres Soup Kitchen and Open Hands in the Bay Area.
5. Students do a service for the community and learn to value their role in the community.

II. The Horticulture Program also focuses on Drug and Alcohol counseling through gardening therapy.

a) Maintaining healthy chemical free garden and maintaining healthy drug/alcohol free life.
b) Students work to change from a criminal, anti-social worldview to a healthy worldview.
c) The program encourages cooperation and productive social behavior.
d) Students learn appropriate communication skills and healthy ways to deal with conflict.
e) By maintaining health and balance in the garden, students begin to understand the value of health and balance in their own lives.
f) The garden environment encourages healthy thoughts and healthy patterns of behavior.
g) Respect for one's own life and for all life outside of one's self is the main emphasis throughout the program.

1. Respect is practiced within the group dynamic.
2. Ways to communicate respectfully and healthy ways to deal with anger and express anger is taught throughout the program.
3. Respect for plant, animal life encourages nurturing as opposed to exploitive relation ships.
4. Respect for self and all Human Life is emphasized throughout the program.
5. Appropriate standards of behavior are required at all times for student participation.
6. Students take responsibility to work with a large group and develop job skills and healthy work patterns of behavior.
7. Students develop the ability to focus on their lives and choose a better life style.

BUILDING PERMIT AND PLAN APPROVAL PROCESS

Background

The 1989-1990 San Francisco Civil Grand Jury reviewed the building permit process and the plan approval process in response to complaints by applicants that obtaining permits required excessive amounts of time. For example:

> The Jury was told of homeowners who experienced difficulties when remodeling the interior and/or exterior of their residences.
>
> An application for a restaurant remodeling project was in process for four months.
>
> The construction of a rear deck was approved one year after the original application was filed.
>
> An application for a tenant remodeling of an office building has been pending for over four months.

This report is based on testimony from architects, architectural representatives of the American Institute of Architects in San Francisco, Planning Commissioners and officials of The Department of Public Works (DPW), The Bureau of Building Inspection (BBI), and The Department of City Planning (DCP). Additional testimony was taken from officials of related departments, a Deputy Mayor, an Assistant Fire Chief and the Budget Analyst.

The Jury also reviewed the Budget Analyst's reports regarding The Department of City Planning dated December 19, 1988 and regarding Permit Processing dated October 26, 1989; various forms and reports issued by the Bureau of Building Inspection; parts of the San Francisco Charter, Administrative Code, Building Codes and Planning Codes.

The Jury visited the building at 450 McAllister Street and observed the permit process in action.

The following excerpt from the booklet *How To Obtain A Permit* issued by the BBI states:

> *The Permit Process can be as simple as submitting the completed application forms, having them reviewed by the counter Building Inspector and having the permit issued after paying the fees. Or it can require reviews by several approving agencies before issuance of the permit. The process depends on the complexity of the project. A building permit issued while you wait is called an over the counter. Typical types of work that can be done in an over the counter permit are:*
>
> *1.) Window replacement*
> *2.) Repair of existing stucco work.*
> *3.) Kitchen remodeling (only one kitchen is permitted per legal dwelling unit).*

4.) Some types of termite repair work.
5.) Exterior stair replacement.
6.) Roof sheathing repair.
7.) Some types of site work.
8.) Fences
[the booklet continues]

For more complicated applications, it may take longer before a permit can be issued. The reason it may take longer is that your application may have to be sent to several agencies. These agencies include:
1.) Building Inspection Division (BID)
2.) Department of City Planning (DCP)
3.) Plans Approval Division (PAD)
4.) Bureau of Engineering (BOE)

Each of the above agencies must review your application if the work proposed is affected by the codes those agencies enforce. The counter Building Inspector can tell which agencies must see your application.

A building permit may be issued by the Bureau of Building Inspection when the proposed project is subject only to the building codes. If the project comes within the requirements of the Planning Code then it will undergo the plan approval process in the Department of City Planning (DCP). In addition, Fire Department employees review projects for conformity with State and Municipal Fire Code and Department of Public Health employees review projects for conformity with State and Municipal Public Health Code.

Findings

Building Permit Process within the Bureau of Building Inspection

The Jury received testimony that BBI has been continually upgrading the building permit process. For this progress the department received commendations from the local AIA, Residential Builders Association, and the Building Remodeling Council.

The Jury's observations confirm that progress has been made and that BBI building permit processing is reasonable. This improvement is due primarily to the BBI Superintendent's development of a goal-oriented, pro-active "action plan" encompassing nine separate areas of operation.

Plan Approval Process within the Department of City Planning

The Jury received testimony that the processing priority for a building project is determined by the date the application was first received. In the initial steps of the process, an application may be sent back because of a need for correction. When the application is resubmitted it is not sent to the back of the line, rather it is returned to its original place in the line.

Unfortunately, some citizens abuse the process by intentionally submitting incomplete applications in order to secure a favorable place in line. This tactic slows the entire process, because staff time which could be spent processing "good" applications is consumed by the incomplete ones.

Testimony revealed that frequently no single employee follows plans through to completion. Throughout the plan approval process supervisory responsibility may be transferred numerous times without notification to the applicant. Delays occur as new personnel familiarize themselves with the project. This also makes checking the status of the project difficult.

The Budget Analyst's report on the Department of City Planning, dated December 1988, states:

> *The City's Planning code is a comprehensive and detailed set of rules for governing land uses in the City. However, due to its complex organization, insufficient definition of terms, extensive use of legal terms and phrases, and lack of an accurate zoning map, the Planning Code is not easily understood by the general public nor by the department's own planning staff.*

In September 1988 the Board of Supervisors adopted "Neighborhood Interim Controls" in response to residential neighborhood complaints regarding razing of houses in order to build multi-unit housing that was not compatible with the immediate surroundings. Since then, DCP operations have been governed by "Neighborhood Interim Controls," regulations which superseded existing code requirements. The "Controls" legislation included a mandate that on March 30, 1990, following an eighteen month trial period, permanent controls were to be adopted. Permanent controls are not yet in effect.

Witnesses testified that the "Neighborhood Interim Controls" have not worked to the satisfaction of either DCP or the citizens of San Francisco.

The Planning Code is inconsistently interpreted by various personnel.

DCP employees frequently subject a project to a design review (a type of discretionary review) based on their personal interpretation or viewpoint that the project is not compatible with its surroundings. For example, a proposed exterior trim may trigger this process. A discretionary review may also begin as a result of objections of even distant neighbors. Witnesses stated that discretionary review is fraught with delays caused by an overly complicated and subjective process.

Testimony, critical of the process, suggested that projects are being redesigned, not by citing specific planning code requirements, but by subjective opinions of DCP employees, or by immediate or distant neighbors.

The Jury recognizes that design review and discretionary review are valuable elements in the plan approval process when administered fairly, prudently and consistently.

The Jury findings show that the present plan review process is inherently time consuming.

Physical Impediments

The Bureau of Building Inspection is open to the public Monday through Friday from 8:00 a.m. to 5:00 p.m. The Department of City Planning is only open Monday through Friday from 10:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m. DCP phone access hours are the same. This limited availability of DCP personnel creates public inconvenience and adds confusion to the existing processing problems.

The Jury noted that the public has difficulty reaching employees by telephone, and that phone calls are frequently not returned.

The Jury confirmed that 450 McAllister is an out-dated building unsuited for effective housing of City personnel and the functions necessary to issue permits. The Jury further noted that the main entrance is not handicap-accessible; that bathrooms are located in stairwells between floors, and are also not handicap-accessible; and that numerous other physical problems exist in the building.

Funding/Relocation

The BBI collects fees which not only fully fund its operations, but also make it possible to set aside funds in a separate account for relocation expenses. Personnel state that these funds should be sufficient to cover the cost of moving into other quarters.

The other departments involved in planning and in issuing building permits do not collect sufficient funds to be self-supporting and have to use general fund monies.

Recommendations

1. The Planning Commission should adopt and recommend to the Board of Supervisors a permanent Residential Planning Code.

2. The Board of Supervisors should enact a permanent Residential Planning Code.

3. The Planning Commission should adopt policies and procedures to simplify the plan approval process and to reduce subjective interpretation of the Planning Code.

4. The Planning Commission should set a policy to ensure that "first come, first served" is applied to properly completed applications throughout the plan approval process.

5. The Director of City Planning should ensure continuity of personnel processing each specific project.

6. The Director of City Planning should adopt office hours for the Department so that it is open to the public from Monday through Friday from 8:00 a.m. to 5:00 p.m.

7. The Department of Public Works should coordinate the relocation of all departments involved into a consolidated permit processing facility.

CIVIL GRAND JURY

Background

By mandate, the Civil Grand Jury serves a watchdog function over elected and appointed officials, agencies and departments of county government. This mandate includes the authority to investigate and audit the receipt and disbursement of the county's monies. The paramount duty of the Jury is to examine and report on the workings of county government with objectivity, independent of political, legislative or administrative structures.

The Jury interviewed the current and incoming Presiding Judges of the Superior Court, the Grand Jury Consultant of the Superior Court, the Executive Director of the American Grand Jury Association, and current and past members of other Civil Grand Juries throughout California. The Jury also reviewed brochures, pamphlets, newspaper articles, and orientation and procedures manuals received from other Civil Grand Juries throughout California. The 1989-1990 Jury believes that the operations of this and future Juries could be improved.

Findings

Based upon the information obtained and upon our own experience, we found that:

The Superior Court of each county in California has the authority to decide how Civil Grand Jurors are selected. Previously, the San Francisco Civil Grand Jury was selected from a pool which consisted of registered voters chosen at random and Superior Court nominees. A committee of Superior Court Judges limits the pool to 30 finalists. Beginning with the 1989-1990 Jury, this group consisted of up to one-half volunteers selected on the basis of written applications and the remainder - of Superior Court nominees. The Court then randomly drew 15 names from this final group of candidates. Four carry-over jurors from the 1988-1989 Jury, selected by the Court, completed the 19 member Jury. The Court selected the Foreman.

A Superior Court Judge testified that few San Francisco Superior Court Judges publicize and promote the function of the Jury, the selection process and the new option to volunteer. Many San Francisco Superior Court Judges do not make full use of their privilege to nominate four persons as prospective Civil Grand Jurors.

Other counties make a concerted effort, through community meetings, promotion to community service organizations and extensive newspaper publicity, to inform citizens about the nature and function of the Jury and how to apply for Jury service.

The option to volunteer to serve on the Civil Grand Jury was not adequately publicized prior to the selection of the 1989-1990 Jury. The Jury notes an effort

was made to better publicize the volunteer option for the 1990-1991 Jury by sending press releases to a greater variety of neighborhood/special interest news papers.

The 1989-1990 Jury does not reflect the demographic diversity of the City and County of San Francisco.

The manual given to each new San Francisco Civil Grand Juror is unwieldy and poorly organized.

The meeting facilities are inadequate and detrimental to the effective conduct of business. In particular, the street noise and seating arrangement make it difficult for jurors to hear witnesses and each other. This same observation is contained in previous Jury reports.

Many Grand Juries in other counties have a formal, comprehensive orientation session during the first month of their terms to acquaint each member of the Jury with the structure, power and authority of its local government, and basic investigative and interviewing skills. The 1989-1990 Jury did not receive a formal orientation at the beginning of its term. Some jurors attended an orientation conference in Modesto sponsored by the American Grand Jury Association.

The Board of Supervisors adopted a Conflict of Interest Code which requires members of various City commissions, advisory bodies and the Civil Grand Jury, beginning in July, 1990, to disclose "all investments and business positions in business entities, and income from any sources which have done business within the City and County in the previous two years and income from all individuals who are employees of the City and County and all interests in real property." The Board did so on the advice of the City Attorney's Office, which in turn had relied upon a finding from the State's Fair Political Practices Commission.

The Jury finds that the income and investment disclosure requirements passed by the Board of Supervisors are an impediment to some people who would otherwise volunteer for civic service. Further, the Jury finds that disclosure of the dollar value of a person's investments, interests in real property, or income is unnecessary when considering whether a conflict of interest exists.

Recommendations

1. The Superior Court should develop a pool of prospective jurors for the Civil Grand Jury that fairly represents the demographic diversity of the City and County of San Francisco.

2. The Presiding Judge should direct the Jury Office to conduct an orientation session for all juror applicants that explains the general role and duties of the Jury as well as the time requirements, prior to impanelment. After the session, any applicant should be able to withdraw his or her application.

3. The Superior Court and the Grand Jury Office, in consultation with the hold-over jurors, should coordinate and implement a formal orientation program for

incoming jurors, to be held in July. The Jury submitted a suggested format of basic topics to the Presiding Judge and the Chairman of the Superior Court Grand Jury Committee.

4. The Presiding Judge should require all incoming Civil Grand Jurors to attend all Civil Grand Jury orientation sessions conducted by the Court.

5. The Superior Court budget should include funding, estimated at $500 per juror, for all Grand Jurors who wish to attend the American Grand Jury Association's Conference.

6. The Court should appoint a member of staff to revise and reorganize the Jury manual, working with current jurors.

7. The Court should secure a meeting room for the Jury with adequate acoustics, seating, and facilities, beginning with the 1990-1991 Jury.

8. Prospective Civil Grand Jurors for the 1990-1991 term should be notified immediately of the new Conflict of Interest Code.

9. The Board of Supervisors should amend the Conflict of Interest Code so that the persons covered are required to disclose (a) their investments, but not the total value of those investments; (b) their business positions in business entities; (c) the sources of their income from any individuals or entities which have done business within the City and County in the previous two years, including City and County employees, but not the total value of said income; and (d) all interests in real property, but not the total value of said interests.

SUMMARY OF RECOMMENDATIONS

VOTER INFORMATION PAMPHLET

1. All parties contributing to the preparation of the Voter Information Pamphlet are to act in accordance with the law.

2. The Registrar of Voters shall include in the pamphlet clear definitions of all terms including "Official" and "Paid" arguments.

3. The Registrar of Voters shall include in the pamphlet a clear explanation of how the Registrar determines which argument will be the "Official Argument," and how the Registrar decides the order in which "Paid Arguments" appear.

4. The Registrar of Voters shall propose legislation to the Board of Supervisors substituting the clear terms of "Argument For" and "Argument Against" in place of "Official Argument" and "Paid Argument."

5. The Registrar of Voters emphasize in the pamphlet, in a conspicuous location, a warning to readers, that other than the language of ordinances and/or existing legislation and legislative text, material represents only the opinion of the writers and may or may not be accurate.

OFFICE OF THE REGISTRAR OF VOTERS

1. The Registrar of Voters should add the following notice to the absentee ballot and the Voter Information Pamphlet: "Absentee ballots must be signed by the registered voter. No other signature will be allowed. Spouses, friends, or persons holding your power of attorney may not sign your ballot for you."

2. The Registrar should send a notice to each voter whose ballot is disqualified specifying the reason(s) for rejection.

3. The Registrar should notify the Citizens Advisory Committee on Elections (CACE) or the District Attorney of rejected ballots.

4. The Registrar should continue efforts to obtain from the Superior Court of San Francisco and other jurisdictions useable information that the staff can employ to purge the names of "ineligible" felons from the rolls.

5. The Registrar of Voters should maintain original voter affidavits under lock and key.

6. The Registrar should publish and post in prominent locations the policy on ballot placement so that there is no misunderstanding as to how propositions are ordered.

7. The Registrar should publish and post any subsequent changes well in advance of implementation.

8. CACE should schedule on its agenda a review and discussion of the empowering ordinance so that all members are aware of their responsibilities.

9. CACE should take steps to ensure that notices of meetings and agenda are posted and copies of minutes are forwarded to the Documents Department of the San Francisco Public Library.

10. The Clerk of the Board of Supervisors should include all members of CACE on the mailing list of the Board of Supervisors.

11. The Clerk of the Board of Supervisors should notify CACE thirty days before any member's term expires and within five days after the appointment of a new member.

12. The Clerk of the Board of Supervisors should forward to BSC copies of files relating to any ballot measure, so that each member of BSC understands the context of each ballot measure before drafting the summary.

13. The Budget Analyst should forward copies of the pertinent Analyst's files to BSC for the same reasons as stated in Recommendation 12.

14. The Board of Supervisors should revise the appropriate ordinance to formally recognize the Registrar of Voters as an *ex officio* member of BSC.

THE DEPUTY MAYOR SYSTEM

1. The Mayor should prepare a complete and detailed job description for the Deputy Mayor positions to be filed with the Civil Service Commission and distributed to all commissioners and department heads to clarify working relationships.

2. The Civil Service Commission should conduct a study of the Deputy Mayor positions to ascertain their level of responsibility and their appropriate salary level.

3. The Mayor should ensure that the Deputy Mayors do not interfere with administrative affairs within departments.

4. In the 1990-1991 budget cycle, the Board of Supervisors should bring the total expenditures for the Mayor's Office in line with those of comparable municipalities.

5. Prior to the 1991-1992 budget cycle, the Board of Supervisors should direct the Budget Analyst to compare the functions of the Mayor's Office and specifically that of the Deputy Mayors in relation to other cities. The Mayor should fully cooperate with such an analysis.

6. The Mayor and Board of Supervisors should establish a committee to study and revise the City and County of San Francisco Charter to delineate the duties and obligations of the Mayor's Office. Special attention should be paid to the Deputy Mayor positions.

7. In order to facilitate communication in City government, the Mayor should consider conducting regular meetings of all department heads in addition to cluster meetings.

LIBRARY BOND ISSUE, NOVEMBER 1988

1. The Director of Public Works should scrutinize and double-check assumptions on which he relies to certify (pursuant to San Francisco Administrative Code section 2.30-1) that the cost estimate for contemplated construction which may be part of a proposed bond project is accurate and complete. The Director should communicate those assumptions to the CIAC and the Board of Supervisors.

2. The Capital Improvement Advisory Committee should develop and follow "reasonable rules and regulations" (San Francisco Charter section 3.500) which include the following procedural steps to assure a complete, thorough review of all proposed bond measures:

> a. Notice of meetings and the agenda should be provided seventy-two hours in advance of the meetings in accordance with Rule 9 of the CIAC and Section 8.16 of the San Francisco Administrative Code.
> b. A complete record of proceedings of each meeting should be kept (Charter section 3.500), including names of the members who attended and how they voted on any issue requiring a vote.

3. The Mayor, the Board of Supervisors, and the Chief Administrative Officer, who submit statements in the Voter Information Pamphlet should carefully review the facts to ensure the accuracy of their statements.

SAN FRANCISCO FIRE DEPARTMENT, EMERGENCY MEDICAL SERVICES

1. The Mayor should ensure that public information programs stress the proper use of the 911 system, and the consequences of its misuse. These programs should be offered in the languages of the various communities in San Francisco.

2. The Fire Commission should amend the rules of the Fire Department in order to facilitate the continuous upgrading of skills by all firefighters.

3. The Fire Commission should institute a quality assurance program to supervise and evaluate the performance of firefighters during medical emergencies.

4. The Fire Commission should obtain appropriate space for a comprehensive training program.

5. The Paramedic Division, the Police Department, and the Fire Department should immediately establish a common radio channel.

6. The Paramedic Division should explore coordinated response systems and determine their applicability in San Francisco.

7. The Director of the Paramedic Division should order that available Paramedic ambulances be positioned at firehouses nearest the areas with a history of high frequency of emergency calls.

8. The Department of Health should designate one facility as a decontamination center.

9. The Department of Health should purchase a mobile decontamination unit to be used at the scene of a disaster.

10. The Fire Commission should modify all firehouse doors to ensure their operability under all conditions.

11. The Fire Commission should install exhaust extraction systems in all firehouses.

12. The Fire Commission should immediately upgrade firehouses to minimum standards for habitation.

SAN FRANCISCO PUBLIC HOUSING AUTHORITY

1. The Mayor and the Housing Authority Commission should evaluate the Housing Authority to determine whether the objectives outlined by the Executive Director in his First Six Month Report are being met.

2. The Executive Director should complete the reorganization of maintenance services described in his First Six Month Report. This Report was submitted to and approved by the Housing Authority Commission.

3. The Authority should require tenants to attend basic household maintenance classes as a condition of their tenancy.

4. The Executive Director should compare the management of the Authority developments at Yerba Buena Plaza East and Hunter's Point with the neighboring Co-ops and implement those management techniques which would improve the maintenance and operation of the Authority projects.

5. The Executive Director should explore whether physical changes in the housing developments, and/or greater tenant responsibility for the management of the developments might improve security.

6. The Housing Authority and the Police Department should continue to increase visible security presence at troubled developments.

7. The Executive Director of the Housing Authority should encourage economic development and social programs. He should seek corporate sponsorship of those programs, following the "adopt-a-school" model.

8. The Executive Director should continue to make the rehabilitation and occupancy of vacant units a high priority.

9. The Authority should place the names of qualified applicants on the waiting list and move the applicants into housing in accordance with objective criteria.

10. The Authority should seek *pro bono* assistance from law firms in San Francisco to augment its legal staff so that actions may be brought against all tenants known to be involved in criminal activities.

11. The attorneys representing the Authority should ensure that during eviction trials the courts are made aware of the terror-ridden environment caused by criminal activities at the developments.

JAILS

1. The Mayor and the Board of Supervisors should allocate sufficient funds to assure that the jails meet accepted institutional standards as defined by the California Board of Corrections.

2. The Jury recognizes that the physical facilities are inadequate and that it would require considerable time to build consensus and support for a program to construct facilities. The Board of Supervisors should implement programs which effectively and safely reduce the need to house individuals in jail facilities.

3. The Mayor and Board of Supervisors should increase the Sheriff's budget to provide for additional deputies in order to ensure safe and humane conditions for all prisoners in San Francisco county jails.

4. The Sheriff should immediately repair and maintain all essential jail facilities including but not limited to toilets, windows, heating, and lighting.

5. The Sheriff should modify Jail #7 to provide adequate housing for female prisoners.

6. The Sheriff should immediately improve the women's facility at Jail #3 or close it down. (On June 7, 1990 the Sheriff announced that because of budgetary restrictions, he was temporarily closing women's jail #3 and transferring prisoners to jail #7, displacing sixty-one male inmates.)

7. The Sheriff should regularly review the food preparation and delivery procedures, to minimize the possibility of contamination.

8. The Director of Pre- and Post-Release Programs should continue programs currently available to inmates and should expand them to include additional opportunities for the development of marketable skills.

9. The Sheriff should publicize the need for volunteers to teach basic educational and vocational skills, and should solicit the unions for help in training prisoners for entry into apprenticeship programs.

BUILDING PERMIT AND PLAN APPROVAL PROCESS

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2. The Board of Supervisors should enact a permanent Residential Planning Code.

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4. The Planning Commission should set a policy to ensure that "first come, first served" is applied to properly completed applications throughout the plan approval process.

5. The Director of City Planning should ensure continuity of personnel processing each specific project.

6. The Director of City Planning should adopt office hours for the Department so that it is open to the public from Monday through Friday from 8:00 a.m. to 5:00 p.m.

7. The Department of Public Works should coordinate the relocation of all departments involved into a consolidated permit processing facility.

CIVIL GRAND JURY

1. The Superior Court should develop a pool of prospective jurors for the Civil Grand Jury that fairly represents the demographic diversity of the City and County of San Francisco.

2. The Presiding Judge should direct the Jury Office to conduct an orientation session for all juror applicants that explains the general role and duties of the Jury as well as the time requirements, prior to impanelment. After the session, any applicant should be able to withdraw his or her application.

3. The Superior Court and the Grand Jury Office, in consultation with the hold-over jurors, should coordinate and implement a formal orientation program for incoming jurors, to be held in July. The Jury submitted a suggested format of basic topics to the Presiding Judge and the Chairman of the Superior Court Grand Jury Committee.

4. The Presiding Judge should require all incoming Civil Grand Jurors to attend all Civil Grand Jury orientation sessions conducted by the Court.

5. The Superior Court budget should include funding, estimated at $500 per juror, for all Grand Jurors who wish to attend the American Grand Jury Association's Conference.

6. The Court should appoint a member of staff to revise and reorganize the Jury manual, working with current jurors.

7. The Court should secure a meeting room for the Jury with adequate acoustics, seating, and facilities, beginning with the 1990-1991 Jury.

8. Prospective Civil Grand Jurors for the 1990-1991 term should be notified immediately of the new Conflict of Interest Code.

9. The Board of Supervisors should amend the Conflict of Interest Code so that the persons covered are required to disclose (a) their investments, but not the total value of those investments; (b) their business positions in business entities; (c) the sources of their income from any individuals or entities which have done business within the City and County in the previous two years, including City and County employees, but not the total value of said income; and (d) all interests in real property, but not the total value of said interests.

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RESPONSES TO RECOMMENDATIONS OF THE 1988-89 CIVIL GRAND JURY

THE BUDGET AND FISCAL RESPONSIBILITY

Recommendation 1. The Mayor, the Board of Supervisors and the Controller should continue to make projections for one year and for five years on General Fund revenues and expenditures.

Response 1. Five year projections were done during 1989.

Recommendation 2. The Mayor's Office should make every effort to keep the public informed of procedures and priorities in every stage of the budget process, particularly in regard to projected shortfalls.

Response 2. The Mayor's Office believes this process to be in place.

Recommendation 3. The Board of Supervisors should cancel all previous requests and ask of the Budget Analyst to do only those audits that can be completed within a year.

Response 3. The Board of Supervisors finds that the legislative branch needs an independent auditor.

Recommendation 4. All other audits should be done by the Controller.

Response 4. The Board of Supervisors states that it should have an independent auditor, and not be dependent on the executive branch.

Recommendation 5. The Mayor and the Board of Supervisors should continue to support the Controller's requests for increased audit staff.

Response 5. Both continue to support the Controller's audit function.

Recommendation 6. Whether the auditor is the Budget Analyst, the Controller or an external contractor, auditors should be required to follow up in six months on their completed audits.

Response 6. The timing of a follow-up audit should be variable, according to the nature of the suggested changes.

Recommendation 7. The Board of Supervisors should continue to explore adding a legislative policy analysis function to its operations.

Response 7. This matter is pending before the Board of Supervisors.

Recommendation 8. The Budget Analyst should not staff Board Committees.

Response 8. The Budget Analyst will continue to staff Board committees with fiscal analysis.

THE CONTROLLER - INFORMATION SERVICES DIVISION

Recommendation 1. The Controller and all EIPSC members should immediately visit the Information Services Division areas in the basement of City Hall.

Response 1. The responses indicate that all EIPSC members have visited ISD quarters.

Recommendation 2. The Controller should immediately clean, reorganize and refurbish the entire ISD facility in the basement of City Hall. As long as it is to be used, working conditions in this area must be improved.

Response 2. The Controller's budget request for 1990-91 will address this issue.

Recommendation 3. The Controller should immediately consider an alternative to the space now used by ISD.

Response 3. See Response 2 above.

Recommendation 4. The Controller should reorganize the physical space of ISD so that management personnel can be reduced.

Response 4. There is little correlation between physical space and the need for management personnel. However, management personnel in ISD have been reduced in both the 1988-89 and 1989-90 budgets.

Recommendation 5. The Controller should try to increase the salaries of programming personnel to a level that is competitive with the market.

Response 5. A study has recently been completed which makes several recommendations to improve recruitment and retention of programming personnel. The Controller's Office will pursue implementation of the study recommendations.

Recommendation 6. The Controller should recommend to the Mayor and the Board of Supervisors that they seek the acquisition of a City Office Building that could house data

processing, as well as other City departments.
Response 6. The Controller's budget request for 1990-91 will address this issue.

Recommendation 7. EIPSC should consider a five-year master plan to project data processing needs instead of the present three-year planning.

Response 7. A three-year time frame is believed to be the longest look into the future that can be reasonably expected.

Recommendation 8. The Controller should recommend that the Mayor and the Board of Supervisors consider the establishment of an independent City department for providing telecommunications and data processing services.

Response 8. The Controller has not been presented with a compelling argument for establishing a separate department and would not support such a recommendation at this time.

Recommendation 9. The Public Utilities Commission and EIPSC should immediately begin a central mapping project consistent with private utility company maps.

Response 9. EIPSC is not an implementing agency.

HOMELESSNESS IN SAN FRANCISCO

Recommendation 1. The Mayor should appoint a full-time Homeless Administrator. The Administrator should:

a. be of substantial public stature,
b. be answerable only to the Mayor,
c. have wide-ranging responsibility and authority to develop and manage a unified program,
d. have authority over all tax-funded spending for the homeless,
e. have responsibility for identifying and obtaining state, federal and other available funds, and
f. have the mandate to enlist the help of business, labor, civic and religious organizations.

Response 1. There is no charter-based authority for a "homeless administrator" outside of the respective roles of the Mayor and Board of Supervisors. The Mayor has appointed a Coordinator for Homeless Programs, who reports to the Deputy Mayor for Health and Human Services.

Recommendation 2. The Mayor should direct the Real Estate Department to identify an existing space for a Centralized Social Services Intake Facility.

Response 2. This matter is being explored.

Recommendation 3. The Mayor should direct all organizations providing services to the homeless to ensure that their programs are adequately represented at the Centralized Social Services Intake Facility.

Response 3. A permanent facility, which is the Mayor's highest priority, will include a drop-in center, shelter, transitional housing, health care, entitlements outreach, job training and counseling services.

Recommendation 4. When appointed, the Homeless Administrator should lobby state and federal agencies providing services to the homeless to place a service representative at the Centralized Social Services Intake Facility.

Response 4. See Response 3 above.

Recommendation 5. In addition to the creation of a Centralized Social Services Intake Facility, the Mayor and the Board of Supervisors should commit to the development of a Comprehensive Service Facility which would include preventive, medical, counseling and advocacy services, as well as transitional housing.

Response 5. See Response 3 above.

Recommendation 6. The Department of Social Services should provide pre-homeless services to assist people in maintaining their homes.

Response 6. An Early Eviction Warning Program to help prevent people from becoming homeless will begin this year.

Recommendation 7. The Department of Social Services should give high priority to the immediate implementation of a photo identification system for users of homeless hotel services.

Response 7. This system will be in place within six months.

Recommendation 8. The Mayor should direct the Social Services Commission to immediately develop a plan to curtail the existing Hotline Hotel Program, replacing it with appropriate transitional and long-term housing programs.

Response 8. The Department of Social Services has already announced that it is reducing the Hotline Program made possible in large part by the expansion of the Modified Payment Program and the creation of a Housing Referral Unit.

Recommendation 9. The Department of Social Services should significantly expand the Modified Payment Program while the

Hotline Hotels continue to be used.

Response 9. The Modified Payment Program has been expanded to accomodate up to 1,000 people in Fiscal Year 1989-90.

Recommendation 10. The Mayor should forge a partnership among the Housing Authority, the Social Services Commission, the Mayor's Office of Housing, the Mayor's Office of Community Development, labor unions and members of business and volunteer communities to rehabilitate vacant Housing Authority units and return them to occupancy.

Response 10. The new Director of the Housing Authority has established a schedule in which vacant Housing Authority units will be rehabilitated and returned to occupancy by September, 1990, using no local funds.

Recommendation 11. DSS funds should not be used to pay directly for repair or rehabilitation of Housing Authority units. They should be used to provide job and skills training for pre-homeless or homeless persons to participate in such rehabilitation.

Response 11. See Response 10 above.

Recommendation 12. DSS should not take any actions with respect to housing homeless people which would adversely affect eligible people on Housing Authority waiting lists.

Response 12. The Department of Social Services and the Mayor's Office will act in compliance with federal regulations governing waiting lists and priorities for vacant Housing Authority units.

HOMELESS AND RUNAWAY YOUTH

Recommendation 1. The Department of Social Services should implement Recommendation No. 7 of the Children's Budget Proposal of Coleman Advocates for Children and Youth (January, 1989) and immediately establish a Teen Services Unit within the Department's Family and Children's Services Division.

Response 1. The Department will establish a unit within the Family and Children's Division to work with homeless and runaway youth, and community-based service provides for that population by January, 1990.

THE JAILS

Recommendation 1. The Mayor and the Board of Supervisors should allocate sufficient funds to provide for the public

safety and to assure that the jails meet accepted institutional standards to afford all persons in custody of the Sheriff adequate, clean and safe housing, and basic medical, psychiatric and social services.

Response 1. The Mayor supports the use of Proposition 52 monies, with matching City funds to upgrade County Jail conditions.

Recommendation 2. There should be sufficient funding to lower staff to inmate ratios to conform with industry standards.

Response 2. Budget requests to meet the recommendation have been made.

Recommendation 3. Persons in custody who have medical or psychiatric problems should be treated through services and facilities administered and funded by the Department of Public Health in cooperation with the Sheriff's Office.

Response 3. The Sheriff is working closely with Public Health officials in this area.

Recommendation 4. The Police Department, the Office of the District Attorney, the Courts and the Sheriff should play the major role in assessing criminal justice planning and policy, since these are the agencies that must implement the State Penal Code.

Response 4. Not directly responded to.

Recommendation 5. The President of the Board of Supervisors should calendar the JPPAC report and recommendations for public hearing immediately. Discussion should begin with a clear statement of the intent behind Propositions 52 and 86, and a review given of the limitations on the types of facilities and services for which the funds can be used.

Response 5. Such discussions and hearings have been held.

Recommendation 6. Propositions 52 and 86 represent over $40 million in available funds to the City and County. These funds should be used for one significant and affordable plan that results in more bed space, as JPPAC recommends.

Response 6. See Response 5 above.

Recommendation 7. The Mayor, Board of Supervisors, Sheriff, Director of Public Health and other interested parties should lobby the state legislature to amend pertinent legal statutes to exempt providers of condoms to inmates from prosecution for aiding and abetting a crime.

Response 7. State legislation was introduced; the City's state legislation committee was to review this legislation in November, 1989.

PUBLIC DEFENDER'S OFFICE

Recommendation 1. The Public Defender should enforce the office hours as stated in the Manual.

Response 1. Concur - however, office hours are now enforced.

Recommendation 2. The Public Defender should determine the cost effectiveness and need for the use of Head Attorneys as supervisors of each unit.

Response 2. Do not concur.

Recommendation 3. The Public Defender should encourage attorneys to participate in group discussions relating to their cases.

Response 3. Concur - now done; an "unnecessary recommendation".

Recommendation 6. The Public Defender should ensure that his staff has full access to all research files, taking into consideration weekend and evening hours when attorneys perform their own research. Keys to the research area should be given to all attorneys.

Response 6. Concur as to part, disagree that keys should be provided to all areas in research unit.

Recommendation 7. The Research Unit should establish a method for maintaining, cataloguing and storing reuseable exhibits for access by attorneys.

Response 7. Do not concur.

Recommendation 8. The Public Defender should establish and maintain a formal program to recruit and utilize law clerks, students and externs/interns to relieve the individual attorneys of this personnel function.

Response 8. Concur - now done.

Recommendation 9. The Public Defender should state what minimum qualifications are required in all solicitations for employment.

Response 9. Do not concur - not cost effective.

Recommendation 10. The Public Defender should include benefits and a job description in every ad. The advertisement should be comparable to the other ads that appear in local legal publications, bar journals and legal placement publications.

Response 10. Do not concur - not cost effective.

Recommendation 11. The Public Defender should name a hiring committee whose members consist of a designated number of experienced senior staff. The hiring committee and other interviewers should be trained in personnel interviewing.

Response 11. Concur - hiring committee exists already; concur that interviewers be trained in personnel interviewing, if City provides money.

Recommendation 12. The Public Defender should state specific qualifications for promotion and these should be well known and be consistently applied.

Response 12. Concur.

Recommendation 13. The Public Defender should comply with his stated policy that promotional opportunities requiring Criminal Law Specialist certification will open only to those so certified.

Response 13. Concur - already and always done.

Recommendation 14. The Public Defender should make certain that persons eligible for promotion, and not selected, be advised as to the reasons.

Response 14. Concur.

Recommendation 15. The Public Defender should write the disciplinary portions of the operations and procedures manual so that they are specific, particularly as they relate to professional standards. The Public Defender should enforce the standards that he has set.

Response 15. Concur.

Recommendation 16. The Public Defender should develop grievance procedures, and implement those procedures on a firm and regular basis.

Response 16. Concur.

Recommendation 17. The Public Defender should establish an orientation program to train newly hired staff in courtroom procedures.

Response 17. Concur - already exists.

Recommendation 18. Appropriate supervisory personnel should evaluate newly hired Deputy Public Defenders for a given period of time to make sure they are following accepted procedures and practices.

Response 18. Concur - already done.

Recommendation 19. The Public Defender should conduct regular and continuing training for all deputies.

Response 19. Concur - already exists.

Recommendation 20. The Public Defender should represent the workload of each attorney, as well as the entire department, in the Annual Report accurately. He should use the same system for reporting as that used by the court so that statistics can be cross-referenced and verified.

Response 20. Concur - already done. The Grand Jury should read Annual Report.

Recommendation 21. The Public Defender should conduct an internal review of the Mental Health Unit to determine if the needs of the clients are being met. He should consider an alternative system for handling non-criminal clients.

Response 21. Do not concur.

Recommendation 22. The Public Defender should make every effort to ensure that the Head Attorneys review and oversee the workload of those they supervise.

Response 22. Concur - already done.

Recommendation 23. The Public Defender should make sure that supervisory attorneys are visible and accessible to the courts for which they are responsible.

Response 23. Concur - already done.

Recommendation 24. The Public Defender should make a serious effort to develop a consistent and experienced capital defense team, with consideration of incorporating private attorneys into the team.

Response 24. Concur in part - if funds exist and if caseload justifies same.

Recommendation 25. The Controller should conduct a comprehensive audit of the Public Defender's Office with the goal of determining whether performance is being hindered by

management practices within the Office.

Response 25. The Controller has discussed the Grand Jury report with the Public Defender and has reviewed the written response prepared by the Public Defender. No audit is scheduled at this time.

OVERSIGHT COMMITTEE OF THE BOARD OF SUPERVISORS

Recommendation 1. The Board of Supervisors should evaluate the effectiveness of the Oversight Committee.

Response 1. The Oversight Committee has clearly become more effective since the Grand Jury report was issued.

Recommendation 2. After evaluation by the Board, the Board president should assign to the committee supervisors who want to make the committee work, or disband the committee and assign its duties to other committees.

Response 2. The President is considering which supervisors will be assigned to which committees in 1990 and in that process will be aware of the recommendations of the Grand Jury.

REAL ESTATE

Recommendation 1. The Board of Supervisors should carry through the feasibility study of the purchase of 1155 Market Street. If the results are favorable, the City should move with dispatch to purchase the building.

Response 1. The CAO is conducting a feasibility study. Those results will be forwarded to the Board for appropriate action.

Recommendation 2. The Chief Administrative Officer, the Mayor and the Board of Supervisors should require that all new employee authorizations include an Employee Impact Statement detailing the need and availability of office space, furniture and equipment consistent with the position requirements.

Response 2. Most proposals from department heads for new employee authorizations contain requests, if needed, for space, furniture, and equipment. Whether a formal Employee Impact Statement is needed probably is best left to a decision of the Mayor when the Mayor issues budget instructions.

Recommendation 3. The Planning and Architecture Departments should establish Office and Space Standards to describe minimum office space requirements.

Response 3. We disagree. Since virtually all of our space acquisitions are within existing buildings and depend upon price and location, the best we are able to do through the Bureau of Architecture is to assist departments in laying out the acquired space to optimize its usage. We believe that establishing abstract and absolute standards is not worth the investment in this environment.